

Manipur State Gazette

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Manipur



Gazette

EXTRAORDINARY

Ad No. 992/2-3-1
24-2-50

PUBLISHED BY AUTHORITY

No. 30-E-13.

Imphal, Monday, February 20 1950.

Department of Information and Publicity

Copy of the telegram of the Chief Commissioner, Manipur, to the President, Republic of India and the reply thereto are published for the general information :—

IMMEDIATE

TELEGRAM

STATE

Dr. Rajendra Prashad
President
Republic of India
New Delhi.

On behalf of the people of Manipur and on my own behalf I send respectful greetings and congratulations on your election as president of Bharat and prayerful good wishes for the successful performance of the sacred duty to which you have been called stop May India soon achieve under your inspiring and wise guidance complete internal peace so that people can live the Indian way of life and by their honest toil secure to their beloved motherland freedom from want and fear.

Imphal,
the 25th January, 1950.

Sd. Himmat Singh Maheshwari,
Chief Commissioner.

Reply

Government House,
New Delhi.
2nd Feb., 1950.

Dear Sir,

I thank you for the message of congratulations you have so kindly sent both on your behalf and on behalf of the people of Manipur, which I deeply appreciate.

Shri Himmat Singh K. Maheshwari,
Chief Commissioner, Manipur.

Yours sincerely,
Sd. Rajendra Prashad.

FREE EYE RELIEF CAMP

Civil Hospital, Imphal.

From the 2nd March to 14th March, 1950.

By expert Eye-specialists of the All India Blind Relief Society.

Under the auspices of the All India Blind Relief Society, Delhi (recognised and aided by the Assam Government and various other provincial governments as well as the Central Government) a free eye relief camp will be held at the Civil Hospital, Imphal from 2nd March to 14th March, 1950 with the financial help of the local gentry. Expert eye specialists of the society will treat all possible eye diseases free of charge in the camp. Even surgical treatment and the boarding of the poor in-door patients will be absolutely free.

Admission to the camp will be restricted to the first three days only i.e. 2nd, 3rd and 4th March. Those incurable cases who are born blind or who have no eyeball need not take the trouble. Patients should bring their beddings with them.

Those who can help the Society are requested to send their donations to and any inquiries may also be made of Shri L. Kirtti Singh, Chief Medical Officer, Imphal.

Issued by
G.H. Singh,
Publicity Officer, Manipur.
20.2.50.

Conference of Hill Leaders as Convened by the Chief Commissioner, Manipur.

In a conference convened by the Chief Commissioner on 14-2-50 at 2 p.m. in the Secretariat Building, he appealed to the prominent leaders of the Hills to work in a spirit of amity and hearty co-operation in framing concrete proposals based on local knowledge and experiences, for the development of the Tribal Areas of Manipur in the sphere of communication, education, dispensaries and grow-more-food. He emphasised that as there had been neglect of these matters in the past, there should be made an all-round effort to make up lee-way. He told the House that it would be his earnest endeavour to secure financial aid from the Central Government and that, therefore, the proposals should be so drafted as to be practicable and acceptable to the India Government.

Two sub-committees were formed to draft the concrete proposals.

In the meeting on 17-2-50 the leaders submitted to the Chief Commissioner the recommendations of the Committee on "communications" as approved by the House.

In the meeting on 18-2-50 recommendations of the Committee on "education and dispensaries" were submitted to the Chief Commissioner as approved by the House.

G. H. Singh,
Publicity Officer, Manipur
20.2.50.



dx No. 902/E-S-I
30-1-50

PUBLISHED BY AUTHORITY

No. 18.

Imphal, Wednesday, January 18, 1950.

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PARA II

Imphal, the 20st December, 1949.

No. A.1 /2391.—The following Act passed by the Dominion Legislature which was published in the Gazette of India, Extraordinary dated the 14th December, 1949 is republished for general information :—

ACT No. LIII OF 1949.

AN ACT

further to amend the Indian Merchant Shipping Act, 1923.

WHEREAS it is expedient further to amend the Indian Merchant Shipping Act, 1923 (XXI of 1923), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the Indian Merchant Shipping (Amendment) Act, 1949.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2 Amendment of the heading to sections 24 to 26, Act XXI of 1923.—For the heading "*Licenses to supply Seamen*" appearing at the head of sections 24 to 26 of the Indian Merchant Shipping Act, 1923 (hereinafter referred to as the said Act), the heading "*Supply of Seamen*" shall be substituted.

3. Insertion of new section 25A in Act XXI of 1923.—After section 25 of the said Act, the following section shall be inserted, namely :—

"25A. *Seamen's Employment Offices for the supply of seamen.*—(1) The Central Government may, by notification in the official Gazette, establish at such ports as it thinks fit Seamen's Employment Offices for the purpose of engaging or supplying seamen for merchant ships and generally for regulating the supply of maritime labour.

(2) The Central Government may, by notification in the official Gazette, direct that at any port at which no separate Seamen's Employment Office is established under sub-section (1), the functions of the Seamen's Employment Office in that port shall be discharged by such person or body of persons as it may specify in the notification,

and thereupon the person or body of persons so specified shall be deemed to be the Seamen's Employment Office established at that port within the meaning of this Act.

(3) Where there is in existence at any port a Seamen's Employment Office within the meaning of sub-section (1) or sub-section (2), then, notwithstanding anything to the contrary contained in any other provision of this Act, no person shall receive or accept to be entered on board any ship any seaman unless such seaman has been engaged through or supplied by such Seamen's Employment Office.

(4) If any person receives or accepts to be entered on board any ship any seaman in contravention of the provisions of this section, he shall, for each seaman in respect of whom an offence is committed, be liable to a fine which may extend to one hundred rupees.

(5) (a) The Central Government may, by notification in the official Gazette, make rules for the purpose of enabling Seamen's Employment Offices effectively to exercise its powers under this Act.

(b) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(i) the consultation with respect to any specified matter by Seamen's Employment Offices with such advisory boards or other authorities as the Central Government may think fit to constitute or specify in this behalf;

(ii) the levy and collection, notwithstanding anything contained in section 26 or in any other provision of this Act, of such fee as may be specified by any Seamen's Employment Office for registering the name of any seaman in any register maintained by it;

(iii) the issue from time to time of directions by the Central Government to any Seamen's Employment Office with reference to the exercise of any of its powers; and

(iv) the supersession of any Seamen's Employment Office which fails to comply with any such direction.

Explanation.—In this section "seaman" means every person employed or engaged in any capacity on board any ship, but does not include ship's officers, masters, pilots or apprentices duly indentured and registered, unless declared by the Central Government, by notification in the official Gazette, to be so included."

Imphal, the 21st December, 1949.

No. A. 1/2393.—The following Acts passed by the Dominion Legislature which were published in the Gazette of India, Extraordinary dated the 14th December 1949 are republished for general information :—

Act No. LIV of 1949.

AN ACT

to provide for the adjudication of industrial disputes concerning certain banking and insurance companies.

WHEREAS it is expedient to provide for the adjudication of industrial disputes concerning banking and insurance companies having branches or other establishments in more than one Province;

It is hereby enacted as follows :—

1. Short title and extent. — (1) This Act may be called the Industrial Disputes (Banking and Insurance Companies) Act, 1949.

(2) It extends to all the Provinces of India.

2. Definitions. — In this Act, unless there is anything repugnant in the subject or context, the expressions “award”, “banking company”, “industrial dispute” and “insurance company” have the meanings respectively assigned to them in section 2 of the Industrial Disputes Act, 1947 (XIV of 1947) as amended by this Act.

3. Amendment of section 2, Act XIV of 1947. — In section 2 of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act),—

(1) in sub-clause (i) of clause (a), for the words “a mine, oil-field” the words “a banking or an insurance company, a mine, an oil-field” shall be substituted ;

(2) after clause (b), the following clause shall be inserted, namely :—

“(bb) ‘banking company’ means a banking company as defined in section 5 of the Banking Companies Act, 1949 (X of 1949) having branches or other establishments in more than one Province, and includes the Imperial Bank of India” ;

(3) after clause (k), the following clause shall be inserted, namely :—

“(kk) ‘insurance company’ means an insurance company as defined in section 2 of the Insurance Act, 1938 (IV of 1938) having branches or other establishments in more than one Province ;”.

4. Prohibition of references by Provincial Governments of certain industrial disputes for adjudication, inquiry or settlement.—Notwithstanding anything contained in any other law, it shall not be competent for a Provincial Government or any officer or authority subordinate to such Government to refer an industrial dispute concerning any banking or insurance company, or any matter relating to such dispute, to any tribunal or other authority for adjudication, inquiry or settlement.

5. Abatement of proceedings relating to disputes pending before Provincial tribunals and reference of such disputes to tribunals constituted by the Central Government. — (1) Where under any law any industrial dispute concerning any banking or insurance company or any matter relating to such dispute has, before the 30th day of April, 1949, been referred by a Provincial Government or any officer or authority subordinate to such Government to any tribunal or other authority for adjudication or settlement and any proceedings in respect of or arising out of such reference were immediately before that date pending before any tribunal or other authority, then on the aforesaid date such reference shall be deemed to have been withdrawn and all such proceedings shall have abated.

(2) The Central Government shall, as soon as may be after the commencement of this Act, by order in writing, refer under section 10 of the said Act every industrial dispute to which the provisions of sub-section (1) apply to an Industrial Tribunal constituted under the said Act for adjudication.

6. Powers of Central Government to refer disputes in respect of which awards or decisions have been made for readjudication.—

(1) Where any award or decision has been made in respect of any industrial

dispute concerning any banking or insurance company by any tribunal or other authority constituted or appointed by a Provincial Government, or any officer or authority subordinate to such Government, then the Central Government may, notwithstanding that the said award or decision is in force, by order in writing refer under section 10 of the said Act the dispute or any of the matters in dispute to an Industrial Tribunal constituted under the said Act for readjudication and stay the implementation of the award or decision so made or of any part of such award or decision until the Industrial Tribunal to which the dispute or any of the matters in dispute is referred for readjudication has submitted its award or for such further period as the Central Government may consider necessary.

(2) After the Industrial Tribunal to which the dispute or any of the matters in dispute has been so referred for readjudication has submitted its award under sub-section (1) of section 15 of the said Act, the Central Government may, by order in writing declare that the award or decision previously made in respect of such dispute by the tribunal or other authority constituted or appointed by the Provincial Government or any officer or authority subordinate to such Government or such part of that award or decision as may be specified in the order shall cease to be in operation.

7. Repeal of Ordinance XXVIII of 1949. — (1) The Industrial Disputes (Banking and Insurance Companies) Second Ordinance, 1949 (XXVIII of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action taken.

Act No. LV of 1949.

AN ACT

to provide for the exemption for a limited period of operations affecting ammunition, explosives or inflammable substances from certain restrictions and for the regulation of those operations.

WHEREAS it is expedient to provide for the exemption for a limited period of the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances from certain restrictions and for the regulation of those operations in the interests of safety;

It is hereby enacted as follows:—

1. Short title, extent, commencement and duration.—(1) This Act may be called the Explosives (Temporary Provisions) Act, 1949.

(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf and shall remain in force thereafter for a period of two years only.

2. Powers in respect of ammunition, explosives or inflammable substances.—(1) If the Central Government considers it necessary or expedient so to do, it may, by notification in the official Gazette, declare

that such restrictions imposed by or under any law for the time being in force, as may be specified in the declaration shall not apply to the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances in such circumstances as may be so specified.

(2) When a declaration has been made under sub-section (1), the Central Government, or any authority authorised by it in writing in this behalf, may by order make such provision as appears to it to be required in the interests of safety for regulating the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances to which the declaration relates.

(3) Any declaration or order made under this section shall apply only to the port of Vizagapatnam and to railways over which ammunition, explosives or inflammable substances are carried to or from that port.

3. Effect of declaration or order.—Any declaration or order made under section 2 shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force, and no such declaration or order shall be called in question in any Court.

4. Penalty.—If any person contravenes any order made under sub-section (2) of section 2, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

5. Protection of action taken.—(1) No suit or other legal proceeding shall lie against the Central Government for any damage caused or likely to be caused by anything in good faith done or intended to be done under this Act or any declaration or order made thereunder.

(2) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any declaration or order made thereunder.

P.C. Deb,

Assist. to Chief Commissioner.

—
The 10th January, 1950.

No. CC. 16/49/37/1725-8.—The Govt. of Manipur is pleased to prohibit the bringing into Manipur of (a) any copy of the booklets entitled "Behind the Iron Curtain in Kashmir-Neutral opinion" and "The Kashmir Dispute through Neutral eyes" published in English or (b) any translation, reprint or other document containing substantial reproductions of the matter contained in either of the said booklets.

ORDER No. 15 OF 1950.

The 16th January, 1950.

No. A. 1-3317-21.—The Officer designated at present as Registrar will be re-designated as Sub-Registrar, Sadar and the Sub-Registrar and his Office will in future be housed in the Local Self-Govt. Office building. The Chairman of the Town Fund may be requested to arrange accommodation. The Deputy Commissioner will be ex-officio Registrar for the whole province.

Himmat Singh,
Chief Commissioner, Manipur.

No. 904/E-5-V
30-1-50

Manipur



Gazette

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3. Insertion of new section 25A in Act XXI of 1923.—After section 25 of the said Act, the following section shall be inserted, namely :—

"25A. *Seamen's Employment Offices for the supply of seamen.*—(1) The Central Government may, by notification in the official Gazette, establish at such ports as it thinks fit Seamen's Employment Offices for the purpose of engaging or supplying seamen for merchant ships and generally for regulating the supply of maritime labour.

(2) The Central Government may, by notification in the official Gazette, direct that at any port at which no separate Seamen's Employment Office is established under sub-section (1), the functions of the Seamen's Employment Office in that port shall be discharged by such person or body of persons as it may specify in the notification,

and thereupon the person or body of persons so specified shall be deemed to be the Seamen's Employment Office established at that port within the meaning of this Act.

(3) Where there is in existence at any port a Seamen's Employment Office within the meaning of sub-section (1) or sub-section (2), then, notwithstanding anything to the contrary contained in any other provision of this Act, no person shall receive or accept to be entered on board any ship any seaman unless such seaman has been engaged through or supplied by such Seamen's Employment Office.

(4) If any person receives or accepts to be entered on board any ship any seaman in contravention of the provisions of this section, he shall, for each seaman in respect of whom an offence is committed, be liable to a fine which may extend to one hundred rupees.

(5) (a) The Central Government may, by notification in the official Gazette, make rules for the purpose of enabling Seamen's Employment Offices effectively to exercise its powers under this Act.

(b) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(i) the consultation with respect to any specified matter by Seamen's Employment Offices with such advisory boards or other authorities as the Central Government may think fit to constitute or specify in this behalf;

(ii) the levy and collection, notwithstanding anything contained in section 26 or in any other provision of this Act, of such fee as may be specified by any Seamen's Employment Office for registering the name of any seaman in any register maintained by it;

(iii) the issue from time to time of directions by the Central Government to any Seamen's Employment Office with reference to the exercise of any of its powers; and

(iv) the supersession of any Seamen's Employment Office which fails to comply with any such direction.

Explanation.—In this section "seaman" means every person employed or engaged in any capacity on board any ship, but does not include ship's officers, masters, pilots or apprentices duly indentured and registered, unless declared by the Central Government, by notification in the official Gazette, to be so included."

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1. Short title and extent. — (1) This Act may be called the Industrial Disputes (Banking and Insurance Companies) Act, 1949.

(2) It extends to all the Provinces of India.

2. Definitions. — In this Act, unless there is anything repugnant in the subject or context, the expressions “award”, “banking company”, “industrial dispute” and “insurance company” have the meanings respectively assigned to them in section 2 of the Industrial Disputes Act, 1947 (XIV of 1947) as amended by this Act.

3. Amendment of section 2, Act XIV of 1947. — In section 2 of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act),—

(1) in sub-clause (i) of clause (a), for the words “a mine, oil-field” the words “a banking or an insurance company, a mine, an oil-field” shall be substituted;

(2) after clause (b), the following clause shall be inserted, namely :—

“(bb) ‘banking company’ means a banking company as defined in section 5 of the Banking Companies Act, 1949 (X of 1949) having branches or other establishments in more than one Province, and includes the Imperial Bank of India”;

(3) after clause (k), the following clause shall be inserted, namely :—

“(kk) ‘insurance company’ means an insurance company as defined in section 2 of the Insurance Act, 1938 (IV of 1938) having branches or other establishments in more than one Province;”.

4. Prohibition of references by Provincial Governments of certain industrial disputes for adjudication, inquiry or settlement.—Notwithstanding anything contained in any other law, it shall not be competent for a Provincial Government or any officer or authority subordinate to such Government to refer an industrial dispute concerning any banking or insurance company, or any matter relating to such dispute, to any tribunal or other authority for adjudication, inquiry or settlement.

5. Abatement of proceedings relating to disputes pending before Provincial tribunals and reference of such disputes to tribunals constituted by the Central Government. — (1) Where under any law any industrial dispute concerning any banking or insurance company or any matter relating to such dispute has, before the 30th day of April, 1949, been referred by a Provincial Government or any officer or authority subordinate to such Government to any tribunal or other authority for adjudication or settlement and any proceedings in respect of or arising out of such reference were immediately before that date pending before any tribunal or other authority, then on the aforesaid date such reference shall be deemed to have been withdrawn and all such proceedings shall have abated.

(2) The Central Government shall, as soon as may be after the commencement of this Act, by order in writing, refer under section 10 of the said Act every industrial dispute to which the provisions of sub-section (1) apply to an Industrial Tribunal constituted under the said Act for adjudication.

6. Powers of Central Government to refer disputes in respect of which awards or decisions have been made for readjudication. —

(1) Where any award or decision has been made in respect of any industrial

dispute concerning any banking or insurance company by any tribunal or other authority constituted or appointed by a Provincial Government, or any officer or authority subordinate to such Government, then the Central Government may, notwithstanding that the said award or decision is in force, by order in writing refer under section 10 of the said Act the dispute or any of the matters in dispute to an Industrial Tribunal constituted under the said Act for readjudication and stay the implementation of the award or decision so made or of any part of such award or decision until the Industrial Tribunal to which the dispute or any of the matters in dispute is referred for readjudication has submitted its award or for such further period as the Central Government may consider necessary.

(2) After the Industrial Tribunal to which the dispute or any of the matters in dispute has been so referred for readjudication has submitted its award under sub-section (1) of section 15 of the said Act, the Central Government may, by order in writing declare that the award or decision previously made in respect of such dispute by the tribunal or other authority constituted or appointed by the Provincial Government or any officer or authority subordinate to such Government or such part of that award or decision as may be specified in the order shall cease to be in operation.

7. Repeal of Ordinance XXVIII of 1949. — (1) The Industrial Disputes (Banking and Insurance Companies) Second Ordinance, 1949 (XXVIII of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action taken.

Act No. LV of 1949.

AN ACT

to provide for the exemption for a limited period of operations affecting ammunition, explosives or inflammable substances from certain restrictions and for the regulation of those operations.

WHEREAS it is expedient to provide for the exemption for a limited period of the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances from certain restrictions and for the regulation of those operations in the interests of safety ;

It is hereby enacted as follows :—

1. Short title, extent, commencement and duration.—(1) This Act may be called the Explosives (Temporary Provisions) Act, 1949.

(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf and shall remain in force thereafter for a period of two years only.

2. Powers in respect of ammunition, explosives or inflammable substances.—(1) If the Central Government considers it necessary or expedient so to do, it may, by notification in the official Gazette, declare

that such restrictions imposed by or under any law for the time being in force, as may be specified in the declaration shall not apply to the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances in such circumstances as may be so specified.

(2) When a declaration has been made under sub-section (1), the Central Government, or any authority authorised by it in writing in this behalf, may by order make such provision as appears to it to be required in the interests of safety for regulating the loading, unloading, handling, storage or conveyance of ammunition, explosives or inflammable substances to which the declaration relates.

(3) Any declaration or order made under this section shall apply only to the port of Vizagapatam and to railways over which ammunition, explosives or inflammable substances are carried to or from that port.

3. Effect of declaration or order.—Any declaration or order made under section 2 shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force, and no such declaration or order shall be called in question in any Court.

4. Penalty.—If any person contravenes any order made under sub-section (2) of section 2, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

5. Protection of action taken.—(1) No suit or other legal proceeding shall lie against the Central Government for any damage caused or likely to be caused by anything in good faith done or intended to be done under this Act or any declaration or order made thereunder.

(2) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any declaration or order made thereunder.

P.C. Deb,

Assist. to Chief Commissioner.

—
The 10th January, 1950.

No. CC. 16/49/37/1725-8.—The Govt. of Manipur is pleased to prohibit the bringing into Manipur of (a) any copy of the booklets entitled "Behind the Iron Curtain in Kashmir-Neutral opinion" and "The Kashmir Dispute through Neutral eyes" published in English or (b) any translation, reprint or other document containing substantial reproductions of the matter contained in either of the said booklets.

ORDER No. 15 OF 1950.

The 16th January, 1950.

No. A. I-3317-21.—The Officer designated at present as Registrar will be re-designated as Sub-Registrar, Sadar and the Sub-Registrar and his Office will in future be housed in the Local Self-Govt. Office building. The Chairman of the Town Fund may be requested to arrange accommodation. The Deputy Commissioner will be ex-officio Registrar for the whole province.

Himmat Singh,
Chief Commissioner, Manipur.

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No. 7

Imphal, Wednesday, November 16, 1949.

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PART I

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

ORDER No. 8 OF 12 11-49.

No. Acc.I.0796 800—Since the appointment of Shri P. C. Deb, Shri H. B. Singh and Shri Kalachand Singh as First, Second and Third Assistants respectively to Chief Commissioner, they have had to shoulder greater responsibilities and the nature of their duties is very onerous and arduous.

It is therefore ordered that Shri P. C. Deb who before his appointment as First Assistant to Chief Commissioner was entitled to an emolument of Rs. 458-4/- per month, will draw a pay of Rs. 500/- per month with usual dearness allowance from the date he joined the present post. Shri P. C. Deb belongs to the Assam Provincial Civil Service (Junior). As Administration of Manipur has been taken over by the Centre, Shri P. C. Deb will be treated as temporarily transferred to Central Service with effect from the 15th October, the date on which Manipur was taken over by the Centre.

Shri H. B. Singh and Shri Kalachand Singh, Second and Third Assistants respectively to Chief Commissioner, while they are in these Posts, will draw Rs. 350/- per month each from the date they joined their present posts.

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

NOTIFICATION.

Imphal, the 26th Oct., 1949.

No.—ACC.I.0223(a)—In supersession of Manipur State Council Resolution No. 11 of 11-12-48, it is hereby notified for general information that the Committee hereinbefore known as the Local Self-Government Committee and exercising jurisdiction over the Imphal Town Fund, the Bazars of Manipur, the Hydro-Electric, the Water Rates and the Vehicle Tax Departments, shall with immediate effect, be split up into two Boards, to be known as the Town Fund Board and the Hydro-Electric Board, both constituted by the same personnel as before, with the exception of the Chairman.

The Town Fund Board shall have jurisdiction over the Imphal Town Fund and the Bazars and the Hydro-Electric Board, over the Hydro-Electric Board, the Water Rates and the Vehicle Tax Departments to the same extent as exercised by the previous L. S. G. Committee.

The First and Second Assistants to Chief Commissioner shall be the Chairmen of the Town Fund Board and the Hydro-Electric Board respectively.

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

PART III

APPEAL.

Imphal, the 12th Nov., 49.

No. 106/49/11/337-40—The Flag Day this year will be observed on Wednesday, the 7th December, 1949. It is with a view to giving benefit to ex-servicemen and their families and providing amenities for members of the Defence services that the Day is observed. Collection of funds through the sale of Flags will be made on this day. To contribute to this fund is to help, defend the country and those who volunteered in the defence of civilization against the menace of Fascism and Nazism, the twin brothers of Destruction. Those who are in a position to make contributions to this fund are requested to do their best. I appeal to the generous sense of the public for their voluntary contribution to this fund as others in the rest of India.

It is hoped that public response will be dictated by the spirit behind the observance.

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

MANIPUR FOREST DEPARTMENT.

Tender Notice No. 10. Imphal, 24-10-49.

No. 1493-505 F/II-7—Sealed tenders will be received by the undersigned up to 3-0 P. M. on the 13th December 1949 for the right of collection and extraction of Agar for the period of 3 three years commencing from 1-1-50 to 31-12-52 both days inclusive from Manipur Territory. Each tender should state in lump sum monopoly fee that he will offer for each year in addition to the royalty according to the rates in Cachar Division payable on the rates of royalty prevalent at present which will be subject to modification according to the rates fixed by the Government Forest Department of Assam from time to time. Each tender should be followed by an earnest money of Rs. 50/- (Rupees fifty) only which will be returned to the unsuccessful tenderers and will be turned into caution money in the case of successful tenderers.

Preference will be given to the National of Indian Dominion while disposing of the Agar Mohal.

R. K. Birachandra Singh,
Forest Officer, Manipur.

নোটিশ নং ১ (১৯৪৯ ৫০ ইং)

প্রজা পুমনমস্তা খংগজরি:—মরমদি তাং ৩১/৮/৪৯ ইংদা ভৌবিবা মণিপুরগী বা:মদা পুমনবা অমস্থ: কৈথেন্দা য়োন্নবা য়েন, ডাঙ্গ, থুন্নচিবা Veterinary Hospital (বগ ডাক্তর) দা পাস ভৌগদবনি হায়বা নোটিশ অহু হেজিক্তি Fowl Cholera (য়েনগী মরাই তাব লাইনা) হ'দবা অহু ফথিবা মরমদা তাং ১৬/১১/৪৯ ইং য়ুমশকৈশা হুনিভগী Veterinary Hospital দা পাস ভৌবা ভোঙ্গনি। ইতি ১৪/১১/৪৯ ইং

L. K. Singh,
Veterinary Officer, Manipur.

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.
NOTIFICATION.

Imphal, the 16th November 1949.

No. ACC.I—0933—The following orders and notifications published through oversight in the issues of the Manipur Gazette as specified below, are hereby withdrawn :—

- (1) Order No. 44 of 49-50 dated 14-10-49 of Chief Judge, Chief Court, published in the issue of November 2, 1949.
- (2) All the orders and notifications published in the issue of October 19, 1949.

These orders and notifications have been published in the issue of the Manipur State Gazette of the 14th October 1949.

By order of Chief Commissioner
P.C. Deb,
Asstt to Chief Commissioner.

Imphal :—Printed and published by the Govt. Press. G. 100/16 10-49.

same grade w.e.f. the 25th November,

9.

H. B. Singh,
Asstt. to Chief Commissioner.

PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 22nd November, 1949.

ORDER No. 14.

No. CC. 16, 49/27/587-91—Whereas the statement made by Godse, Mahatma Gandhi's assassin, during his trial is considered to be highly objectionable since it contains incitement to violence ;

Now, therefore, the Local Press and Journals of Manipur are hereby prohibited from printing and publishing the above statement.

Himmat Singh,
Chief Commissioner, Manipur.

of collection and accounts, commencing from 1-1-50 to 31-12-52 both days inclusive from Manipur Territory. Each tender should state a lump sum monopoly fee that he will offer for each year in Cachar Division which will be subject to the rates fixed by the Government from time to time. Each tender should be Rs. 50/- (Rupees fifty) only and will be turned into tenderers.

disposal of the land in the British Indian Dominion while

Birachandra Singh,
Officer, Manipur.

1. মনিপুরী হাসপাতাল (বন ডাক্তার) দা
Hospital (বন ডাক্তার) দা
মরাই ভবন নাইনা)
Primary Hospital দা

K. Singh,
Officer, Manipur.

*C. Bant,
5/8/49*

Manipur Gazette

PUBLISHED BY AUTHORITY

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Imphal, Wednesday, November 30, 1949.

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PART I

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 23rd November, 1949.

ORDER NO 15 OF 1949.

No. CC. 100/49-A/11/631-7—The Chief Commissioner of Manipur has been pleased to order the transfer of Shree N. Yaimabi Singh, a 3rd grade clerk of the Palace Office to the Tamphasana Girls' High School on the same grade w.e.f. the 25th November, 1949.

No. CC. 62/49-A/6/622 3—Whereas the State of Manipur has been integrated to the Centre ; and

Whereas the Manipur State Administration Rules have become void ;

Now, therefore, the Chief Commissioner of Manipur in exercise of the powers conferred by the Manipur (Administration) Order, 1949 is pleased to delegate to Shri Palit, the Supdt. of Police, Manipur all powers exercisable by a district Supdt. of Police in Assam (under the Assam Police Manual).

H. B Singh,
Asstt. to Chief Commissioner.

PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 22nd November, 1949.

ORDER No. 14.

No. CC. 16/49/27/587 91—Whereas the statement made by Godse, Mahatma Gandhi's assassin? during his trial is considered to be highly objectionable since it contains incitement to violence ;

Now, therefore, the Local Press and Journals of Manipur are hereby prohibited from printing and publishing the above statement.

Himmat Singh,
Chief Commissioner, Manipur.

The 23rd November, 1949.

No. ACC.I-1201—The following Notification issued by the Government of India, Ministry of Agriculture, is republished for general information :—

No. SV-101(11)/49, dated New Delhi, the 2nd September, 1949 :—

In exercise of the powers conferred by Section 3(1) of Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to make the following Order :—

1. (1) This Order may be called the Sugar (Futures and Options) (Prohibition) Order, 1949.

(2) It extends to all the Provinces of India.

(3) It shall come into force on the 2nd September, 1949.

2. In this Order, unless there is anything repugnant in the subject or context,

(a) "Sugar" means (i) any form of sugar containing more than 90 per cent of sucrose ; (ii) any sugar of crystalline structure ;

(b) "futures in sugar" means any agreement relating to the purchase or sale of sugar made on a forward basis and providing for delivery at some future date and payment of margin on such date or dates as may be expressly or impliedly agreed upon by the parties ;

(c) "margin" means the difference between the price specified in an agreement relating to the purchase or sale of sugar and the prevailing market price for the same quality and quantity of sugar on a particular day ;

(d) "option in sugar" means an agreement for the purchase or sale of a right to buy or a right to sell, or a right to buy and sell, any sugar in future, and includes a teji, a mandi and a teji-mandi in any sugar.

3. After the commencement of this Order no person shall :—

(a) save with the permission of the Central Government or an officer authorised by the Central Government in this behalf, enter into any futures in sugar, or pay or receive, or agree to pay or receive, any margin in connection with any such futures ;

(b) enter into any option in sugar.

4. Any option in sugar entered into before the commencement of this Order and remaining to be performed whether or wholly or in part shall be void within the meaning of the Indian Contract Act, 1872, and shall not be enforceable by law.

5. No person being the owner or occupier of any premises shall knowingly permit such premises to be used :—

(a) for the making of any future or option in sugar or the payment or receipt of any margins in contravention of clause 3, or

(b) for the performance of any option in sugar declared void by clause 4.

6. The Central Government or the Provincial Government may by notification in the Official Gazette appoint such persons as it thinks fit to be Inspectors for the purposes of this Order within such local limits as it may assign to them respectively.

7. An Inspector appointed in pursuance of clause 6 may, within the local limits assigned to him ;

- (a) enter and inspect, with such assistants, if any, as he thinks fit, any premises used or believed to be used for the making or performance of futures or options in sugar or the payment or receipt of margins.
- (b) require the owner, occupier or other person in charge of the premises to produce any books, accounts or other document relating to such transactions ;
- (c) take or cause to be taken extracts from or copies of any documents relating to such transactions which are produced before him or otherwise found in the premises.

P.C. Deb.

1st Assistant to Chief Commissioner, Manipur.

PART III

এগ্রিকালচরেল নোটিশ নং ৭।
৪৯-৫০ ইং

No. 116Agri.—Grow More food Campaign গী মরিদা অফ বা গেছ মর মন ২৫২।। খুলরে। Transport তা খুদোং চাখিদবনা থর থেংথ্রে। হনবা মতমস্থ লোইশিলকলে, অচুমকপু মখা মাষ্টকৈগী লৈঙোই অমস্থ ফুন্দি ওইবা অইংবা লমদদি তাং ১০। ১২। ৪৯ ইংগী অচুয়াই ফাওবা হনবা য়াখিগনি। মরু অসি য়ান্না হানা ফলকই। ওল্লকপা চহিদা অমুক বিদেশতগী লৌদনবা মরু অসি থেংবস্থ থেংনা ছরিংই। হিরম অসিদা প্রজাশিন্ত্র ওয়মথে মশাগী অমস্থ লৈপাকৌদমক তেংবাংবিগনি নিংজৈ। মরম অসিনা মতিকচাবা অথোইবা লমলৈবা মীশিংনা মরু অসি য়ান্না থুনা লৌচুনা হনবিয়ু।

U. P. Govt. তগী মমল (রেট) থংজি। রেট অসি থংলগা মমল পিবিগদবনি নহগা মরু লোহগা ২৫% interest কা লোইননা শিংবিবস্থ য়াগনি। অচুগা অথোকপা চাথোক অচুস্ত ওল্লকপা চহিগী রেটতা পল্লিকা মরু ওইনবগীদমক য়ান্নবদি লৌজনিংই। মমল মলা লুপা ৩০ গী মস্থ ওইরবা য়াই।

P. C. Singh,
Agricultural Officer.

855/E-8-2
16-1-50

Manipur



Gazette

PUBLISHED BY AUTHORITY

17.

Imphal, Wednesday, January 11, 1950.

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PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 2nd January, 1950.

No. A. 1/2959.—The following act passed by the Dominion Legislature which was published in the Gazette of India, Extraordinary dated the 28th December, 1949 is republished for general information:—

ACT No. LXII OF 1949.

An Act

further to amend the Cinematograph Act, 1918.

WHEREAS it is expedient further to amend the Cinematograph Act, 1918 (II of 1918), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Cinematograph (Second Amendment) Act, 1949.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2. Amendment of section 1, Act II of 1918.—In section 1 of the Cinematograph Act, 1918 (hereinafter referred to as the said Act), for sub-sections (2) and (3), the following sub-section shall be substituted, namely:—

“(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.”

3. Amendment of section 2, Act, II of 1918.—In section 2 of the said Act,—

(i) after the definition of ‘adult’ the following definition shall be inserted, namely,

“Authority” means the Authority constituted by the Central Government under section 6; and

(ii) in the definition of “place”, for the words “tent or vessel”, the words “tent or any description of transport, whether by sea, land or air,” shall be substituted.

4. Insertion of new section 2A in Act II of 1918.—After section 2 of the said Act, the following section shall be inserted, namely :—

“2A. Rule of construction in the application of Act to Acceding States.—In the application of this Act to any Acceding State, unless there is anything repugnant in the subject or context,—

(a) references to a Province or the Provincial Government shall be construed as references to that Acceding State or the Government of that Acceding State, as the case may be ;

(b) references to the District Magistrate shall be construed as references to the corresponding authority in the Acceding State; and

(c) references to the official Gazette shall be construed as references to the corresponding official publication of that State.”

5. Amendment of section 5, Act II of 1918.—For sub-sections (2) and (2A) of section 5 of the said Act, the following sub-sections shall be substituted, namely :—

“(2) The grant of every licence shall be subject to the conditions that the licensee will not exhibit, or permit to be exhibited, in such place—

(a) any film other than a film which has been certified by the Authority as suitable for unrestricted public exhibition or for public exhibition restricted to adults, and which, when exhibited, displays the prescribed mark of that Authority, and has not been altered or tampered with in any way since such mark was affixed thereto ;

(b) any film which has been certified by the Authority as suitable for public exhibition restricted to adults to any person who is not an adult ;

(c) any film contrary to any directions that may be issued from time to time in this behalf by the Central Government under sub-section (2A),

and such conditions shall be deemed to be inserted in every licence.

(2A) The Central Government may from time to time issue directions to licensees generally, or to any licensee, in particular, for the purpose of regulating the exhibition of any film or class of films so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited.”

6. Substitution of new sections for sections 6 to 9, Act II of 1918.—For sections 6, 7, 8 and 9 of the said Act, the following sections shall be substituted, namely :—

“6. Certification of films.—(1) The Central Government may by notification in the official Gazette, constitute an Authority in the prescribed manner for the purpose of examining and certifying film as suitable for unrestricted public exhibition or for public exhibition restricted to adults, and prescribe the manner in which the Authority shall exercise the powers conferred on it by this Act.

(2) If the Authority after examination considers that a film is suitable for unrestricted public exhibition or that, although not suitable for such exhibition, it is suitable for public exhibition restricted to adults, it shall grant to the person applying for a certificate in respect

of the film a "U" certificate in the former case and an "A" certificate in the latter case, and shall in either case cause the film to be so marked in the prescribed manner, and any such certificate shall, save as hereinafter provided, be valid throughout the territories to which this Act extends.

(3) If the Authority is of opinion that a film is neither suitable for unrestricted public exhibition nor for public exhibition restricted to adults, it shall inform the person applying for the certificate of its decision.

(4) Any person applying for a certificate, who is aggrieved by the decision of the Authority refusing to grant a certificate or to grant only an "A" certificate, may, within thirty days from the date of such decision, appeal to the Central Government, and the Central Government may, after such inquiry as it considers necessary, pass such orders thereon as it thinks fit.

(5) If the Central Government rejects an appeal on the ground that a film is neither suitable for unrestricted public exhibition nor for public exhibition restricted to adults, it shall, by notification in the official Gazette, direct that the film shall be deemed to be an uncertified film in the whole of the territories to which this Act extends.

(6) For the purpose of disposing of any appeal under this section, the Central Government may demand the exhibition of any film before any authority specified in this behalf.

(7) Notwithstanding anything contained in this Act, the Central Government may, of its own motion, by notification in the official Gazette, direct that—

(a) a certified film shall be deemed to be an uncertified film in the whole or any part of the territories to which this Act extends, or

(b) a film in respect of which a "U" certificate has been granted shall be deemed to be a film in respect of which an "A" certificate has been granted.

Explanation.—The grant of an "A" certificate in respect of any film shall not be deemed to prohibit the exhibition thereof to children below the age of three.

7. *Power of Provincial Government or local authority to suspend exhibition of films in certain cases.*—(1) The Provincial Government, in respect of the whole Province or any part thereof, and the District Magistrate or the Commissioner of Police, in respect of the district or town within his jurisdiction, may, if it or he is of opinion that any film, which is being publicly exhibited, is likely to cause a breach of the peace, by order suspend the exhibition of any film, and during such suspension the film shall be deemed to be an uncertified film in the Province or the district or town, as the case may be.

(2) Where an order under sub-section (1) has been issued by a District Magistrate or a Commissioner of Police, a copy thereof, together with a statement of reasons therefore, shall forthwith be forwarded by the person making the same to the Provincial Government, and the Provincial Government may either confirm or discharge the order.

(3) No order made under this section shall remain in force for more than two months, but the Provincial Government may, if it is of opinion that any such order should continue in force for a further period, refer the matter to the Central Government for decision.

(4) On receipt of any reference under sub-section (3) the Central Government may, by notification in the official Gazette, direct that the period of suspension shall be extended by such further period as it thinks fit or that the film shall be deemed to be an uncertified film in the whole or any part of the territories to which this Act extends.

8. *Penalties.*—(1) If the owner or person in charge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used, in contravention of the provisions of this Act or the rules made thereunder, or of the conditions and restrictions upon, or subject to, which any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees, and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues, and his licence, if any, shall be liable to be revoked by the licensing authority.

(2) The exhibition of a film contrary to any order or direction under sub-section (5) or sub-section (7) of section 6 or section 7 shall, in the area to which such order or direction relates, be deemed to be a contravention of the conditions mentioned in sub-section (2) of section 5 and shall be punishable as provided in this section.

(3) If any person is convicted of an offence punishable under this Act committed by him in respect of any film, the convicting Court may further direct that the film shall be forfeited to the Government.

9. *Power to make rules.*—(1) The Central Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, rules made under this section may provide for—

- (a) the manner in which the Authority shall be constituted ;
- (b) the delegation of any of the powers of the Authority to such person or persons as the Authority may nominate in this behalf ;
- (c) the procedure of the Authority for examining and certifying films as suitable for public exhibition, and all matters ancillary thereto and the fees to be levied by such Authority ;
- (d) the appointment of officers subordinate to the Authority and the regulation of the powers and duties of such officers ;
- (e) the conditions subject to which any certificate may be granted under this Act or the circumstances in which any certificate shall be refused ;
- (f) the manner in which any appeal under this Act may be preferred,
- (g) any other matter which by this Act is to be prescribed.

(3) The Provincial Government may make rules to provide for the regulation of cinematograph exhibitions for securing the public safety.

(4) All rules made under this Act shall be published in the official Gazette, and on such publication shall have effect as if enacted in this Act.

(5) All rules made by the Central Government under this Act shall be laid before the Dominion Legislature as soon, as may be after they are made.

10. *Power to give directions.*—The Central Government may give directions to any Provincial Government as to the carrying into execution in the Province of any of the provisions contained in this Act or of any rules or orders made thereunder.

11. *Power to exempt.*—The Central Government may, by order in writing exempt, subject to such conditions and restrictions as it may impose, any cinematograph exhibition or class of cinematograph exhibitions from any of the provisions of this Act or of any rule made thereunder."

P. C. Deb,
Assistt. to Chief Commissioner.

ORDER No. 1 OF 1950.

No. ACC. 111/5 50/1524 G.B. — Renewal of all the gun licences for the year 1950 including those issued to hillmen will be done by the Chief Commissioner. Renewal of the licences which was done in the late Home Office will be done from the 16th to 20th January 1950 and will be put up by Assistant to Chief Commissioner (III), and renewal of the licences issued from Hill Offices will be done from 3rd to 19th February 1950 and will be put up by Assistant to Chief Commissioner (IV) who will collect at once all the gun registers of the Circle Offices. Action will be taken against those who fail to renew their licences on the above dates, according to Indian Arms Act 1878.

Himmat Singh,
Chief Commissioner, Manipur.

PART III

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal the 2nd January, 1950.

No. C.C. 141/49, 13/1604-11.—The Government of India directs that employment of non-Indians in States should be made in consultation with them and that a quarterly return of such persons in the employ of this Government and private firms and individuals in this State be furnished to them regularly every quarter.

With a view to complying with the above directions it is required that this Secretariat be informed of any such appointment by employers, Government or private, when contemplated.

H.B. Singh,
Asstt. to the Chief Commissioner.

Imphal, the 11th January 1950.

Correction slip to notification dated 6th January, 1950 regarding registration of persons as citizen of India under the New constitution, published in the Manipur gazette Extraordinary dated the 9th January 1950.

Insert the words "applications in" after the words "have to deposit the" in 4th line of paragraph 3.

Imphal, the 30th December, 1949.

No. A.I/2891—The following Press Note issued by the Government of India, Ministry of External Affairs is republished for general information :—

PRESS INFORMATION BUREAU GOVERNMENT OF INDIA.

PRESS NOTE

Family Allotments By Indian Employees Held Up In Insurgent Areas In Burma.

The Government of Burma have decided to allow family allotments to the families in India of their non-national employees who are at present in areas under the control of insurgents in Burma.

Families in India of such Indian employees of the Government of Burma may apply for monthly monetary assistance through the Indian Embassy, Rangoon, to the Head of the Department under which the employee is working, giving the following particulars :—

- (1) Name of applicant ;
- (2) Name of Indian employee from whose salary an allotment is sought ;
- (3) Designation and appointment held by the employee ;
- (4) Relationship of applicant with the employee ;
- (5) Full address of applicant in India ;
- (6) Amount of family allotment desired ;
- (7) Amount of financial assistance received monthly in the past from the employee ; and
- (8) Documentary evidence, if any, in support of statements made above, e. g. letters etc., from the employee to the applicant.

P. C. Deb,
Assistant to Chief Commissioner



EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 15-E-3.

Imphal, Thursday January 5, 1950.

Imphal, the 2nd January, 1950.

The Merged States (Laws) Act, 1949 which was published in the Gazette of India, Extraordinary dated the 28th December, 1949 is republished for general information:—

Act No. LIX of 1949.

An Act

to extend certain laws to certain areas administered as parts of Governors' Provinces or as Chief Commissioners' Provinces.

WHEREAS by Orders under section 290A of the Government of India Act, 1935 (26 Geo. 5, c. 2), provision has been made for the administration of certain areas either as if they formed part of an adjoining Governor's Province or as if they were a Chief Commissioner's Province;

AND WHEREAS it is expedient to provide that certain laws should be extended to, and by virtue of such extension, be in force in, the said areas;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Merged States (Laws) Act, 1949.

(2) It shall come into force on the 1st day of January, 1950.

2. Definitions.—In this Act.—

(a) the expressions “absorbing Province” and “merged State” have the same meanings as in the States' Merger (Governors' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949; and

(b) the expression “new Provinces” means the Chief Commissioners' Provinces constituted by the States' Merger (Chief Commissioners' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949.

3. Extension of laws.—(1) The Acts, Ordinances and Regulation specified in the Schedule are hereby extended to, and shall be in force in, all the new Provinces.

(2) So much of any of the Acts, Ordinances and Regulation specified in the Schedule as extends to any absorbing Province and relates to matters with respect to which the Dominion Legislature has power to make laws for a Governor's Province is hereby extended to, and shall be in force in, all the merged States which are now administered as part of that Province.

(3) If any of the said Acts, Ordinances and Regulation as in force in any absorbing Province immediately before the commencement of this Act is subject to any amendments made by the Legislature of that Province, that Act, Ordinance or Regulation shall be deemed to be extended to, and to be in force in, all the merged States which are now administered as part of that Province, subject to so much of the said amendments as relate to matters with respect to which the Dominion Legislature has power to make laws for a Governor's Province.

4. Interpretation of laws as extended.—In any Act, Ordinance or Regulation specified in the Schedule, notwithstanding anything contained in the General Clauses Act, 1897 (X of 1897),—

(a) any reference, by whatever form of words, to the Acceding States shall be construed as not including a reference to any of the merged States or to any of the States (other than the United State of Saurashtra) mentioned in the States' Merger (Chief Commissioners' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949.

(b) any reference, by whatever form of words, to Indian British subjects shall be deemed to include a reference to persons who, immediately before the 1st day of August, 1949, were subjects of any of the merged States or of any of the States (other than the United State of Saurashtra) mentioned in the States' Merger (Chief Commissioners' Provinces) Order, 1949, as amended by the States' Merger (United Provinces) Order, 1949;

(c) any reference, by whatever form of words, to the Provinces generally or to the Chief Commissioners' Provinces generally shall be construed as including a reference to the new Provinces; and

(d) any reference, by whatever form of words, to an absorbing Province shall be construed as including a reference to the merged States which are now administered as part of that Province.

5. Repeal of corresponding laws.—If immediately before the commencement of this Act there is in force in any of the new Provinces or merged States an Act, Ordinance, Regulation or other law corresponding to an Act, Ordinance or Regulation specified in the Schedule, whether such Act, Ordinance or Regulation is in force by virtue of an Order under the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), or by virtue of any other legislative power, such corresponding law shall upon the commencement of this Act,—

(a) in a new Province, stand repealed, and

(b) in a merged State, stand repealed to the extent to which the law relates to matters with respect to which the Dominion Legislature has power to make laws for a Governor's Province.

6. Savings.—(1) The repeal by section 5 of this Act of any corresponding law in force in the new Provinces or merged States immediately before the commencement of this Act shall not affect—

(a) the previous operation of any such law, or

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law, or

(c) any investigation, legal proceeding or remedy in respect of any such penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(2) Subject to the provisions of sub-section (f), anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, bye-law or scheme framed, certificate, patent, permit or licence granted or registration effected, under such corresponding law shall be deemed to have been done or taken under the corresponding provision of the Act, Ordinance or Regulation as now extended to, and in force in, the new Province or merged State and shall continue in force accordingly unless and until superseded by anything done or any action taken under the said Act, Ordinance or Regulation.

7. Powers of Courts and other authorities for purposes of facilitating application of laws.—For the purpose of facilitating the application in any of the new Provinces or merged States of any Act, Ordinance or Regulation specified in the Schedule, any Court or other authority may construe any such Act, Ordinance or Regulation with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court or other authority.

1861 V	...	The Police Act, 1861.
1862 III	...	The Government Seal Act, 1862.
1863 XXIII	...	The Waste-lands (Claims) Act, 1863.
1865 III	...	The Carriers Act, 1865.
1866 XXI	...	The Native Converts' Marriage Dissolution Act, 1866.
1867 XVI	...	The Acting Judges Act, 1867.
1867 XXV	...	The Press and Registration of Books Act, 1867.
1869 IV	...	The Indian Divorce Act, 1869.
1870 VII	...	The Court-fees Act, 1870.
1871 I	...	The Cattle-trespass Act, 1871.
1871 XXIII	...	The Pensions Act, 1871.
1871 XXXI	...	The Indian Weights and Measures of Capacity Act, 1871.
1872 I	...	The Indian Evidence Act, 1872.
1871 III	...	The Special Marriage Act, 1872.
1872 IX	...	The Indian Contract Act, 1872.
1872 XV	...	The Indian Christian Marriage Act, 1872.
1873 V	...	The Government Savings Banks Act, 1873.
1873 X	...	The Indian Oaths Act, 1873.
1874 III	...	The Married Women's Property Act, 1874.
1874 IV	...	The Foreign Recruiting Act, 1874.
1875 IX	...	The Indian Majority Act, 1875.
1875 XVIII	...	The Indian Law Reports Act, 1875.
1877 I	...	The Specific Relief Act, 1877.
1878 I	...	The Opium Act, 1878.
1878 VI	...	The Indian Treasure-trove Act, 1878.
1878 VIII	...	The Sea Customs Act, 1878.
1878 XI	...	The Indian Arms Act, 1878.
1879 XVIII	...	The Legal Practitioners Act, 1879.

~~PROVINCES~~

(c) any reference, by whatever form of words, to the Provinces generally or to the Chief Commissioners' Provinces generally shall be construed as including a reference to the new Provinces ; and

(d) any reference, by whatever form of words, to an absorbing Province shall be construed as including a reference to the merged States which are now absorbed.

5. Repeal of any law made by the Legislature of any Province or merged State before the commencement of this Act, or of any Ordinance made by the Chief Commissioner of any Province or merged State before the commencement of this Act, shall be deemed to be repealed by the commencement of this Act.

law relating to the power of the Government to make laws for the purpose of maintaining law and order in the Province.

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THE SCHEDULE

[See section 3]

LAWS EXTENDED TO THE NEW PROVINCES AND MERGED STATES

Year	Number	Short Title
ACTS		
1839	XXXII	... The Interest Act, 1839.
1841	X	.... The Indian Registration of Ships Act, 1841.
1850	XI	... The Indian Registration of Ships Act (1841) Amendment Act, 1850.
1850	XVIII	... The Judicial Officers' Protection Act, 1850.
1850	XIX	... The Apprentices Act, 1850.
1850	XX	... The Caste Disabilities Removal Act, 1850.
1850	XXXIV	.... The State Prisoners Act, 1850.
1850	XXXVII	... The Public Servants (Inquiries) Act, 1850.
1855	XII	.... The Legal Representatives' Suits Act, 1855.
1855	XIII	... The Indian Fatal Accidents Act, 1855.
1856	IX	... The Indian Bills of Lading Act, 1856.
1856	XV	... The Hindu Widows' Re-marriage Act, 1856.
1857	XIII	... The Opium Act, 1857.
1858	III	... The State Prisoners Act, 1858.
1860	XXI	... The Societies Registration Act, 1860.
1860	XLV	.... The Indian Penal Code.
1861	V	... The Police Act, 1861.
1862	III	... The Government Seal Act, 1862.
1863	XXIII	... The Waste-lands (Claims) Act, 1863.
1865	III	... The Carriers Act, 1865.
1866	XXI	... The Native Converts' Marriage Dissolution Act, 1866.
1867	XVI	... The Acting Judges Act, 1867.
1867	XXV	... The Press and Registration of Books Act, 1867.
1869	IV	... The Indian Divorce Act, 1869.
1870	VII	... The Court-fees Act, 1870.
1871	I	.... The Cattle-trespass Act, 1871.
1871	XXIII	... The Pensions Act, 1871.
1871	XXXI	... The Indian Weights and Measures of Capacity Act, 1871.
1872	I	.... The Indian Evidence Act, 1872.
1871	III	... The Special Marriage Act, 1872
1872	IX	... The Indian Contract Act, 1872.
1872	XV	... The Indian Christian Marriage Act, 1872.
1873	V	... The Government Savings Banks Act, 1873.
1873	X	... The Indian Oaths Act, 1873.
1874	III	... The Married Women's Property Act, 1874.
1874	IV	... The Foreign Recruiting Act, 1874.
1875	IX	... The Indian Majority Act, 1875.
1875	XVIII	... The Indian Law Reports Act, 1875.
1877	I	... The Specific Relief Act, 1877.
1878	I	... The Opium Act, 1878.
1878	VI	... The Indian Treasure-trove Act, 1878.
1878	VIII	... The Sea Customs Act, 1878.
1878	XI	... The Indian Arms Act, 1878.
1879	XVIII	... The Legal Practitioners Act, 1879.

THE SCHEDULE—*cont'd.*

Year	Number	Short Title
1880	I	... The Religious Societies Act, 1880.
1880	XIII	... The Vaccination Act, 1880.
1881	XI	... The Municipal Taxation Act, 1881.
1881	XXVI	... The Negotiable Instruments Act, 1881.
1882	II	... The Indian Trusts Act, 1882.
1882	IV	... The Transfer of Property Act, 1882.
1882	VII	... The Powers-of-Attorney Act, 1882.
1884	IV	... The Indian Explosives Act, 1884.
1885	XVIII	... The Land Acquisition (Mines) Act, 1885.
1886	VI	... The Births, Deaths and Marriages Registration Act, 1886.
1886	XI	... The Indian Tramways Act, 1886.
1887	VII	... The Suits Valuation Act, 1887.
1887	IX	... The Provincial Small Cause Courts Act, 1887.
1888	III	... The Police Act, 1888.
1889	IV	... The Indian Merchandise Marks Act, 1889.
1890	I	... The Revenue Recovery Act, 1890.
1890	VI	... The Charitable Endowments Act, 1890.
1890	VIII	... The Guardians and Wards Act, 1890.
1890	XI	... The Prevention of Cruelty to Animals Act, 1890.
1891	XVIII	... The Bankers' Books Evidence Act, 1891.
1893	IV	... The Partition Act, 1893.
1894	I	... The Land Acquisition Act, 1894.
1894	IX	... The Prisons Act, 1894.
1897	III	... The Epidemic Diseases Act, 1897.
1897	IV	... The Indian Fisheries Act, 1897.
1897	X	... The General Clauses Act, 1897.
1898	III	... The Lepers Act, 1898.
1898	V	... The Code of Criminal Procedure, 1898.
1898	VI	... The Indian Post Office Act, 1898.
1898	IX	... The Live-stock Importation Act, 1898.
1899	II	... The Indian Stamp Act, 1899.
1899	IV	... The Government Buildings Act, 1899.
1900	III	... The Prisoners Act, 1900.
1901	II	... The Indian Tolls (Army and Air Force) Act, 1901.
1903	VII	... The Indian Works of Defence Act, 1903.
1903	XIV	... The Indian Foreign Marriage Act, 1903.
1903	XV	... The Indian Extradition Act, 1903.
1904	VII	... The Ancient Monuments Preservation Act, 1904.
1905	IV	... The Indian Railway Board Act, 1905.
1906	III	... The Indian Coinage Act, 1906.
1908	V	... The Code of Civil Procedure, 1908.
1908	VI	... The Explosive Substances Act, 1908.
1908	IX	... The Indian Limitation Act, 1908.
1908	XIV	... The Indian Criminal Law Amendment Act, 1908.
1908	XV	... The Indian Ports Act, 1908.
1908	XVI	... The Indian Registration Act, 1908.
1909	IV	... The Whipping Act, 1909.
1909	VII	... The Anand Marriage Act, 1909.

THE SCHEDULE—*contd.*

Year	Number	Short Title
1910	IX	... The Indian Electricity Act, 1910.
1911	II	... The Indian Patents and Designs Act, 1911.
1911	VIII	... The Indian Army Act, 1911.
1911	X	... The Prevention of Seditious Meetings Act, 1911.
1912	IV	... The Indian Lunacy Act, 1912.
1913	II	... The Official Trustees Act, 1913.
1913	III	... The Administrator General's Act, 1913.
1913	VI	... The Mussalman Wakf Validating Act, 1913.
1913	VII	... The Indian Companies Act, 1913.
1914	II	... The Destructive Insects and Pests Act, 1914.
1914	III	... The Indian Copyright Act, 1914.
1914	IX	... The Local Authorities Loans Act, 1914.
1916	VII	... The Indian Medical Degrees Act, 1916.
1916	XV	... The Hindu Disposition of Property Act, 1916.
1917	V	... The Destruction of Records Act, 1917.
1917	XVIII	... The Post Office Cash Certificates Act, 1917.
1918	II	... The Cinematograph Act, 1918.
1918	XXII	... The Bronze Coin (Legal Tender) Act, 1918.
1919	I	... The Local Authorities Pensions and Gratuities Act, 1919.
1919	XII	... The Poisons Act, 1919.
1920	V	... The Provincial Insolvency Act, 1920.
1920	X	... The Indian Securities Act, 1920.
1920	XIV	... The Charitable and Religious Trusts Act, 1920.
1920	XXIII	... The Indian Rifles Act, 1920.
1920	XXXIII	... The Identification of Prisoners Act, 1920.
1920	XXXIX	... The Indian Elections Offences and Inquiries Act, 1920.
1920	XLVII	... The Imperial Bank of India Act, 1920.
1921	XVIII	... The Maintenance Orders Enforcement Act, 1921.
1922	XXII	... The Police (Incitement to Disaffection) Act, 1922.
1923	IV	... The Indian Mines Act, 1923.
1923	V	... The Indian Boilers Act, 1923.
1923	VI	... The Cantonments (House-Accommodation) Act, 1923.
1923	VIII	... The Workmen's Compensation Act, 1923.
1923	XIV	... The Indian Cotton Cess Act, 1923.
1923	XIX	... The Indian Official Secrets Act, 1923.
1923	XXI	... The Indian Merchant Shipping Act, 1923.
1923	XXIII	... The Legal Practitioners (Women) Act, 1923.
1923	XLII	... The Mussalman Wakf Act, 1923.
1924	II	... The Cantonments Act, 1924.
1924	IV	... The Central Board of Revenue Act, 1924.
1924	XIX	... The Land Customs Act, 1924.
1925	IV	... The Indian Soldiers (Litigation) Act, 1925.
1925	XII	... The Cotton Ginning and Pressing Factories Act, 1925.
1925	XIX	... The Provident Funds Act, 1925.
1925	XXVI	... The Indian Carriage of Goods by Sea Act, 1925.
1925	XXXIX	... The Indian Succession Act, 1925.
1926	III	... The Government Trading Taxation Act, 1926.
1926	VII	... The Indian Naturalization Act, 1926.

THE SCHEDULE—*contd.*

Year	Number	Short Title
1926	XII	... The Contempt of Courts Act, 1926.
1926	XVI	... The Indian Trade Unions Act, 1926.
1926	XXI	... The Legal Practitioners (Fees) Act, 1926.
1926	XXXVIII	... The Indian Bar Councils Act, 1926.
1927	XVI	... The Indian Forest Act, 1927.
1927	XVII	... The Indian Lighthouse Act, 1927.
1928	XII	... The Hindu Inheritance (Removal of Disabilities) Act, 1928.
1929	II	... The Hindu Law of Inheritance (Amendment) Act, 1929.
1929	XIX	... The Child Marriage Restraint Act, 1929.
1930	II	... The Dangerous Drugs Act, 1930.
1930	III	... The Indian Sale of Goods Act, 1930.
1930	XXIV	... The Indian Lac Cess Act, 1930.
1930	XXX	... The Hindu Gains of Learning Act, 1930.
1930	XXXII	... The Mussalman Wakf Validating Act, 1930.
1931	XVI	... The Provisional Collection of Taxes Act, 1931.
1931	XXIII	... The Indian Press (Emergency Powers) Act, 1931.
1932	IX	... The Indian Partnership Act, 1932.
1932	XII	... The Foreign Relations Act, 1932.
1932	XIV	... The Indian Air Force Act, 1932.
1932	XX	... The Port Haj Committees Act, 1932.
1932	XXII	... The Tea Districts Emigrant Labour Act, 1932.
1932	XXIII	... The Criminal Law Amendment Act, 1932.
1933	II	... The Children (Pledging of Labour) Act, 1933.
1933	XXVII	... The Indian Medical Council Act, 1933.
1934	II	... The Reserve Bank of India Act, 1934.
1934	VIII	... The Khaddar (Name Protection) Act, 1934.
1934	XIX	... The Indian Dock Labourers Act, 1934.
1934	XX	... The Indian Carriage by Air Act, 1934.
1934	XXII	... The Indian Aircraft Act, 1934.
1934	XXX	... The Petroleum Act, 1934.
1934	XXXII	... The Indian Tariff Act, 1934.
1934	XXXIV	... The Indian Navy (Discipline) Act, 1934.
1936	III	... The Parsi Marriage and Divorce Act, 1936.
1936	IV	... The Payment of Wages Act, 1936.
1937	I	... The Agricultural Produce (Grading and Marking) Act, 1937.
1937	XVIII	... The Hindu Women's Rights to Property Act, 1937.
1937	XIX	... The Arya Marriage Validation Act, 1937.
1937	XXV	... The Federal Court Act, 1937.
1937	XXVI	... The Muslim Personal Law (<i>Shariat</i>) Application Act, 1937.
1938	IV	... The Insurance Act, 1938.
1938	V	... The Manœuvres, Field Firing and Artillery Practice Act, 1938.
1938	VIII	... The Indian Tea Control Act, 1938.
1938	XX	... The Criminal Law Amendment Act, 1938.
1938	XXIV	... The Employers' Liability Act, 1938.
1938	XXVI	... The Employment of Children Act, 1938.
1939	IV	... The Motor Vehicles Act, 1939.

THE SCHEDULE—*contd.*

Year.	Number	Short Title
1939	VIII	.... The Dissolution of Muslim Marriages Act, 1939.
1939	IX	.... The Standards of Weight Act, 1939.
1939	XIX	... The Coal Mines Safety (Stowing) Act, 1939.
1939	..	The Indian Naval Reserve Forces (Discipline) Act, 1939.
1940	V	... The Trade Marks Act, 1940.
1940	X	... The Arbitration Act, 1940.
1940	XXIII	... The Drugs Act, 1940.
1940	XXVII	... The Agricultural Produce Cess Act, 1940.
1941	XIX	... The Mines Maternity Benefit Act, 1941.
1941	XX	... The Professions Tax Limitation Act, 1941.
1941	XXI	... The Federal Court Act, 1941.
1941	XXV	... The Railways (Local Authorities' Taxation) Act, 1941.
1942	VII	... The Coffee Market Expansion Act, 1942.
1942	XVIII	... The Weekly Holidays Act, 1942.
1942	XIX	... The Industrial Statistics Act, 1942.
1942	XXVI	... The Federal Court (Supplemental Powers) Act, 1942.
1943	IX	.... The Reciprocity Act, 1943.
1944	I	... The Central Excises and Salt Act, 1944.
1944	X	... The Indian Coconut Committee Act, 1944.
1944	XVIII	... The Public Debt Act, 1944.
1946	IX	... The Indian Oilseeds Committee Act, 1946.
1946	XVII	... The Protective Duties Act, 1946.
1946	XIX	.... The Hindu Married Women's Right to Separate Residence and Maintenance Act, 1946.
1946	XX	... The Industrial Employment (Standing Orders) Act 1946.
1946	XXII	... The Mica Mines Labour Welfare Fund Act, 1946
1946	XXIV	... The Essential Supplies (Temporary Powers) Act, 1946.
1946	XXV	... The Delhi Special Police Establishment Act, 1946.
1946	XXVIII	.... The Hindu Marriage Disabilities Removal Act, 1946.
1947	II	.... The Prevention of Corruption Act, 1947.
1947	VII	... The Foreign Exchange Regulation Act, 1947.
1947	XII	.... The Railways (Transport of Goods) Act, 1947.
1947	XIV	.... The Industrial Disputes Act, 1947.
1947	XV	... The Armed Forces (Emergency Duties) Act 1947.
1947	XVI	.... The Trading with the Enemy (Continuance of Emergency Provisions) Act, 1947.
1947	XVIII	... The Imports and Exports (Control) Act, 1947.
1947	XXIV	... The Rubber (Production and Marketing) Act, 1947.
1947	XXIX	... The Capital Issues (Continuance of Control) Act, 1947.
1947	XXXI	.... The Antiquities (Export Control) Act, 1947.
1947	XXXII	... The Coal Mines Labour Welfare Fund Act, 1947.
1947	XLIII	... The United Nations (Security Council) Act, 1947.
1947	XLVI	... The United Nations (Privileges and Immunities) Act, 1947.
1948	I	... The Federal Court (Enlargement of Jurisdiction) Act, 1947.
1948	VIII	... The Pharmacy Act, 1948.
1948	IX	... The Dockworkers (Regulation of Employment) Act, 1948.
1948	XI	... The Minimum Wages Act, 1948.

THE SCHEDULE—contd.

Year	Number	Short Title
1948	XII	... The Rehabilitation Finance Administration Act, 1948.
1948	XV	... The Industrial Finance Corporation Act, 1948.
1948	XVI	... The Dentists Act, 1948.
1948	XXII	... The Indian Power Alcohol Act, 1948.
1948	XXIX	... The Atomic Energy Act, 1948.
1948	XXXII	... The Road Transport Corporations Act, 1948.
1948	XXXIV	... The Employees' State Insurance Act, 1948.
1948	XXXVII	... The Census Act, 1948.
1948	XL	... The Indian Matrimonial Causes (War Marriages) Act, 1948.
1948	XLVI	... The Coal Mines Provident Fund and Bonus Schemes Act, 1948.
1948	XLVII	... The Displaced Persons (Institution of Suits) Act, 1948.
1948	LIII	... The Mines and Minerals (Regulation and Development) Act, 1948.
1948	LIV	... The Electricity (Supply) Act, 1948.
1948	LXI	... The Central Silk Board Act, 1948.
1948	LXIII	... The Factories Act, 1948.
1949	X	... The Banking Companies Act, 1949.
1949	XIII	... The Central Tea Board Act, 1949.
1949	XXI	... The Hindu Marriages Validity Act, 1949.
1949	XXIII	... The Influx from Pakistan (Control) Act, 1949.
1949	XXV	... The Displaced Persons (Legal Proceedings) Act, 1949.
1949	XXX	... The Public Companies (Limitation of Dividends) Act, 1949.
1949	XXXVIII	... The Chartered Accountants Act, 1949.

ORDINANCES.

1940	IV	... The Currency Ordinance, 1940.
1941	XI	... The Essential Services (Maintenance) Ordinance, 1941.
1942	XLI	... The Armed Forces (Special Powers) Ordinance, 1942.
1944	XXXVIII	... The Criminal Law Amendment Ordinance, 1944.
1944	XLII	... The Post Office National Savings Certificates Ordinance, 1944.
1945	XLVII	... The International Monetary Fund and Bank Ordinance, 1945.
1949	XI	... The Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949.

REGULATION.

1818	III	... The Bengal State Prisoners Regulation, 1818.
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P. C. Deb,

Assistant to Chief Commissioner, Manipur.

Imphal, the 3rd January, 1950.

No. A. 1/3056.—The following advertisement received from the Comptroller, Assam is published for general information :—

P. C. Deb,
Assistant to Chief Commissioner, Manipur.

No. T. M. Estt./9-84/48/1605-06, dated Shillong, the 30th December, 1949.—

Applications are invited immediately from candidates of all communities who are bonafide residents of Assam, Tripura and Manipur for temporary posts of Upper Division clerks in the office of the Comptroller, Assam. Pay Rs. 80-5-120-E. B.-8-200-10/1-220, plus dearness and other allowances sanctioned by the Government of India. Minimum educational qualification is a degree of an Indian University. Persons with higher qualification will get preference. Age should not exceed 25 years (28 in case of Scheduled Caste and Tribal candidates). Retrenched employees of the Indian Audit Department or Military Accounts Department or Indian nationals prematurely retired from Burma Audit Department and those who are registered with the Transfer Bureau and also eligible to apply. Domicile or age restrictions may be relaxed in their cases if suitable candidates come forward. Age restriction may also be relaxed in suitable cases of other retrenched employees and refugees. Applications stating full particulars together with copies of Matriculation and other University certificates should reach the undersigned not later than the 15th January 1950.

Sd./ S. M. Banerjee,
Comptroller, Assam

(i) He should have migrated to Pakistan on or after the 19th July, 1948 (the date on which the Indian Government's Pakistan (Control) Ordinance, 1948, was promulgated and came into force), not having previously migrated after the 1st March, 1947, from India to Pakistan or having migrated from India to Pakistan at any time after the 1st March, 1947, has returned to India at any time after the 15th August, 1947, under a Permit for resettlement or permanent return.

(ii) He, or either of his parents or any of his grand parents, was born in undivided India (excluding the French and Portuguese settlements in India, but including all former Indian States and Tribal Areas in the North-West as well as North-East frontier).

(iii) He should have resided in the territory of India for at least six months immediately preceding the date of his application.

(iv) He should not have voluntarily acquired the Citizenship of any Foreign State.

The Registering Officers will normally be officers in charge of the Revenue administration of districts or Presidency towns, i.e. Collectors or Deputy Commissioners. In those cases where other officers are also appointed as Registering Officers, full information will be available with the Collectors or Deputy Commissioners. Copies of application forms which will, as far as possible, be printed in the regional languages can be had free of cost from the said officers after the Constitution has been authenticated by the President. Since the whole process of registration has to be completed before the commencement of the Constitution i.e. the 26th January, 1950, intending applicants should get into touch with the Registration Officers concerned as soon as the Constitution is authenticated. Those persons who are declared eligible for Indian citizenship will be given a "Certificate of Registration" free of cost by the Registering Officer.

Manipur



Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 16-E-4.

Imphal, Monday January 9, 1950.

GOVERNMENT OF MANIPUR.

**REGISTRATION OF PERSONS AS CITIZENS OF INDIA
UNDER THE NEW CONSTITUTION.**

NOTIFICATION.

Imphal, the 6th January, 1950.

No. ACC.I/3150-55. — The following Press Note issued by the Govt. of India, Ministry of Home Affairs, is republished below for general information. The Land Revenue Officer, Manipur, has been appointed as the authority for the registration of persons living within Manipur and satisfying the provisions as laid down in the Press Note as citizens of India under the New Constitution. Those fulfilling the said provisions, may apply to him for registration, in printed forms to be had from his Office. A certificate in a form prescribed by the Govt. of India will be issued to all who may be registered.

2. It should be noted that the last date for registration expires on the 25th January, 1950.

3. Persons residing in Jiribam may have the forms from the Jiri Mauzadar's Office and may also deposit the applications in the Mauzadar's Office who will transmit them to the Land Revenue Officer with his recommendations. Such persons shall naturally have to deposit the due time so that they may reach the Land Revenue Officer, on or before the 25th January, 1950.

P. C. Deb,
Asstt. to Chief Commissioner (I)
Manipur.

PRESS NOTE.

New Delhi, the 25th November, 1949. — The Constituent Assembly has decided that Articles 5 to 9 relating to Citizenship (which form Part II of the Constitution of India) will come into operation on the date the Constitution is authenticated by the President of the Constituent Assembly, which is expected to be on the 26th day of November, 1949. Clause (b) (ii) of Article 6 read with Article 7 enables certain classes of displaced persons to register themselves as Citizens of India before the date of commencement of the Constitution as a whole, that is the 26th January, 1950.

2. The conditions to be satisfied by an applicant for registration under these two articles are as follows and are published for general information :—



PUBLISHED BY AUTHORITY

14.

Imphal, Wednesday, January 4, 1950.

CONTENTS

	Page		Page
-Appointments, Postings, Transfers, etc.—	Nil	Part III.—Advertisements and Notices.	Nil
-Orders, Notifications and Rules. ...	1 to 3		

PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 20th December, 1949.

No. 1181/ACC III.— The following act passed by the Dominion Legislature is republished for general information. :—

ACT No. LI OF 1949.
AN ACT

to provide for the apportionment of compensation payable in respect of requisitioned land.

WHEREAS doubts have arisen whether an arbitrator appointed under section 19 of the Defence of India Act, 1939 (XXXV of 1939), or under the said section as deemed to be continuing in force for the purpose of section 6 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947), has power to apportion the compensation payable in respect of any requisitioned land among persons interested therein ;

AND WHEREAS it is expedient to resolve the said doubts and expressly to provide for the apportionment of compensation in all such cases ;

It is hereby enacted as follows :—

1. Short title.—This Act may be called the Requisitioned Land (Apportionment of Compensation) Act, 1949.

2. Definitions.—In this Act,—

(a) the expression “persons interested”, in relation to any requisitioned land, includes all persons claiming an interest in the compensation to be paid on account of the requisitioning or the acquisition of the requisitioned land under the provisions of section 19 of the Defence of India Act, 1939 (XXXV of 1939) or section 6 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) ;

(b) the expression "requisitioned land" means any immovable property which is, or was, subject to any requisition effected under the rules made under the Defence of India Act, 1939 or continued under the Requisitioned Land (Continuance of Powers) Act, 1947.

3. Apportionment of compensation.—(1) Notwithstanding anything contained in either of the Acts mentioned in section 2, where there are several persons interested in any requisitioned land, it shall be lawful, and shall be deemed always to have been lawful, for an arbitrator appointed in pursuance of either of the sections mentioned in clause (a) of section 2, to apportion by his award the compensation payable in respect of the requisitioning or, as the case may be, acquisition of the land among the persons interested.

(2) Where an arbitrator appointed in pursuance of either of the sections mentioned in clause (a) of section 2 has, before the 13th day of September, 1949, made an award determining, but not apportioning, the compensation payable, and such compensation has not been paid, the Government by whom such compensation is payable may either on its own motion or, upon the application of any person interested, appoint the same or another arbitrator to apportion the compensation among the persons interested, and it shall be lawful for the arbitrator so appointed to make a supplementary award of apportionment.

(3) An appeal shall lie to the High Court against a supplementary award made under sub-section (2).

(4) The provisions of the rules made under section 19 shall, in so far as they are applicable, apply to arbitrations and awards under this section as they apply in relation to arbitrations and awards under the said section 19.

4. Repeal of Ordinance XXII of 1949.—(1) The Requisitioned Land (Apportionment of Compensation) Ordinance, 1949 (XXII of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action taken.

Kalachand Singh,
Asst. to Chief Commissioner (iii).

Imphal, the 20th December, 1949.

No. A. 1/2391.—The following act which was published in the Gazette of India, Extraordinary dated the 14th December, 1949 is republished for general information. :—

ACT No. LII OF 1949.

AN ACT

further to amend the Indian Merchant Shipping Act, 1923 and the Indian Lighthouse Act, 1927.

WHEREAS it is expedient further to amend the Indian Merchant Shipping Act, 1923 (XXI of 1923), and the Indian Lighthouse Act, 1927 (XVII of 1927), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title.—This Act may be called the Merchant Shipping and Lighthouse (Amendment) Act, 1949.

2. Amendment of Part I, Act XXI of 1923.—In Part I of the Indian Merchant Shipping Act, 1923, after section 4, the following sections shall be inserted, namely:—

“4A. Appointment of Director-General of Shipping.—The Central Government may, by notification in the official Gazette, appoint a Director-General of Shipping.

4B. Delegation of powers to Director-General of Shipping.—The Central Government may, by order, direct that any power, authority or jurisdiction exercisable by it under or in relation to any such provisions of this Act or of the Merchant Shipping Acts as may be specified in the direction shall, subject to such conditions and restrictions as may be so specified, be exercisable also by the Director-General of Shipping.”

3. Insertion of new section 20A, Act XVII of 1927.—In the Indian Lighthouse Act, 1927, after section 20, the following heading and section shall be inserted, namely:—

“DELEGATION OF POWERS.

20A. Delegation of powers to Director-General of Shipping.—The Central Government may, by order, direct that any power, authority or jurisdiction exercisable by it under any of the preceding provisions of this Act shall, subject to such conditions and restrictions as may be specified in the direction, be exercisable also by the Director-General of Shipping appointed under section 4A. of the Indian Merchant Shipping Act, 1923 (XXI of 1923).”

P. C. Deb,
Asstt. To Chief Commissioner.



PUBLISHED BY AUTHORITY

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PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 13th December, 1949.

No. ACC.12102.—The following Act of the Constituent Assembly which was published in the Gazette of India, Extraordinary, dated the 26th November, 1949 is republished for general information :—

No. F. II-XLIV/49-1, Dated New Delhi, the 26th November, 1949.

Constituent Assembly Act No. VI of 1949.

AN ACT

further to amend the Government of India Act 1935.

26 Geo. 5
c 2.

WHEREAS it is expedient further to amend the Government of India Act, 1935, for the purpose hereinafter appearing ;
It is hereby enacted as follows :—

1. (1) This act may be called the Government of India (Fourth Amendment) Act, 1949.

Short title
and com-
mencement.

(2) It shall come into force on the twenty-sixth day of November, 1949.

2. The Interpretation Act, 1889, applies for interpretation of this Act as it applies for the interpretation of an Act of Parliament.

Interpreta-
tion.

3. In Sub-section (1) of section 290 of the Govern-ment of India Act, 1935, after clause (d), the following clause shall be inserted, namely :—

Amendment
of section
290 of the
Government,
of India Act
1935.

“(e) alter the name of any Province :”

Imphal, the 17th December, 1949.

No. ACC. 1/2270.—The Notification No. P. 108, dated the 28th October, 1948 issued by the Government of India in the Ministry of Works, Mines and Power is published for general information :—

No. P. 108, dated New Delhi, the 28th October, 1949.—In exercise of the Powers conferred by section 4 and sub-section (1) of section 29 of the

Petroleum Act, 1934 (XXX of 1934), as applied to the storage and transport of cinematograph films having nitro-cellulose base by the notification of the Government of India in the late Department of Labour, No. Ex. 108, dated the 14th January, 1946, the Central government is pleased to direct that the following further amendment shall be made in the Cinematograph Film Rules 1948, the same having been previously published as required by sub-section (2) of section 29 of the said Act, namely:—

The rule 2 of the said Rules, for the words "one and one half years" to words "two years" shall be substituted.

Imphal, the 15th December, 1949.

No. ACC. 1/2250 — The following Acts passed by the Dominion Legislature and which were published in the Gazette of India, Extraordinary, dated the 10th December, 1949 are republished for general information:—

Act No. XLIV of 1949.

AN ACT

further to amend the Reserve Bank of India Act, 1934.

WHEREAS it is expedient further to amend the Reserve Bank of India Act, 1934 (II of 1934), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Reserve Bank of India (Amendment) Act, 1949.

2. Amendment of section 17, Act II of 1934.—In clause (11) of section 17 of the Reserve Bank of India Act, 1934,—

(a) after the words "any Indian State", the words, figures and brackets "or the Industrial Finance Corporation of India established under the Industrial Finance Corporation Act, 1948 (XV of 1948)" shall be inserted;

(b) after sub-clause (e), the following sub-clause shall be inserted, namely:—

"(f) in respect of the aforesaid Corporation, the issue and management of its bonds and debentures;"

3. Repeal of Ordinance XIX of 1949.—(1) The Reserve Bank of India (Amendment) Ordinance, 1949 (XIX of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing was done or action was taken.

Act No. XLV of 1949.

AN ACT

to amend the Industrial Finance Corporation Act, 1948.

WHEREAS it is expedient to amend the Industrial Finance Corporation Act, 1948 (XV of 1948), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Industrial Finance Corporation (Amendment) Act, 1949.

2. Insertion of new section 5A in Act XV of 1948.—After section 5 of the Industrial Finance Corporation Act, 1948 (hereinafter referred to as the said Act), the following section shall be inserted and shall be deemed always to have been inserted, namely:—

"5A. *Shares of the Corporation to be deemed to be securities for certain purposes.*—Notwithstanding anything contained in the Acts hereinafter mentioned in this section, the shares of the Corporation shall be deemed to be included among the securities enumerated in section 20 of the India

Trusts Act, 1882 (II of 1882), and be also deemed to be approved securities for the purposes of the Insurance Act, 1938 (IV of 1938), and the Banking Companies Act, 1949 (X of 1949)."

3. Amendment of section 43, Act XV of 1918.—In sub-section (2) of section 43 of the said Act, after clause (k) the following clause shall be inserted, namely :—

"(kk) the establishment and maintenance of provident or other benefit funds for employees of the Corporation ;".

Act No. XLVI of 1949.

AN ACT

to restrict the liability of banking companies in connection with certain transactions by legal practitioners.

WHEREAS it is expedient to restrict the liability of banking companies in connection with certain transactions by legal practitioners ;

It is hereby enacted as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Banking Companies (Legal Practitioners' Clients' Account) Act, 1949.

(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.

(3) It shall come into force in the Presidency-town of Bombay at once, and in the rest of the Province of Bombay or any part thereof or in any other Province or any Acceding State or any part of such Province or State on such date or dates as the Central Government may, by notification in the official Gazette, appoint.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(a) "banking company" means any banking company as defined in section 5 of the Banking Companies Act, 1949 (X of 1949) and includes the Imperial Bank of India ;

(b) "legal practitioner" has the same meaning as in the Legal Practitioners Act, 1879 (XVIII of 1879).

3. Restriction of liability of banking companies in certain cases.—

(1) Where, under any law or rules having the force of law, a legal practitioner keeping an account in a banking company for clients' moneys may only operate on such account for specified purposes, then, neither the banking company with which such an account is kept nor any other banking company shall, in connection with any transaction relating to such account, incur any liability, or be under any obligation to make any inquiry, or be deemed to have any knowledge of any right of any person to any money paid or credited to such account, which it would not incur, or be under, or be deemed to have, in the case of an account kept by a person entitled absolutely to all the money paid or credited to the account.

Provided that nothing in this sub-section shall—

(i) apply to the case of an account kept by a legal practitioner as trustee for a specified beneficiary, or

(ii) relieve a banking company from any liability or obligation which it would incur or be under, apart from this Act.

(2) Notwithstanding anything contained in sub-section (1), a banking company in which a legal practitioner keeps an account for clients' moneys shall not, in respect of any liability of such practitioner to the banking company, not being a liability in connection with that account, have or obtain any recourse or right, whether by way of set-off, counter-claim, charge or otherwise, against moneys standing to the credit of that account.

Act No. XLVII of 1949.

AN ACT

further to amend the Indian Arms Act, 1878.

WHEREAS it is expedient further to amend the Indian Arms Act, 1878 (XI of 1878), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title.—This Act may be called the Indian Arms (Amendment) Act, 1949.

2. Amendment of section 1, Act XI of 1878.—In clause (a) of the second paragraph of section 1 of the Indian Arms Act, 1878 (hereinafter referred to as the said Act), after the words "sea-going vessel" the words "or aircraft" shall be inserted.

3. Amendment of section 6, Act XI of 1878.—In section 6 of the said Act,—

(a) for the words "by sea or by land" the words "by sea, land or air" shall be substituted ;

(b) in the explanation, after the words "by sea" the words "or air" shall be inserted.

4. Amendment of section 10, Act XI of 1878.—In the explanation to section 10 of the said Act, for the word "port" the words "sea port or air port" shall be substituted.

Act No. XLVIII of 1949.

AN ACT

to provide for the removal from one unit to another unit of persons subjected to preventive detention for reasons connected with the maintenance of public order

WHEREAS it is expedient to provide for the removal from one unit to another unit of persons subjected to preventive detention for reasons connected with the maintenance of public order ;

It is hereby enacted as follows :—

1. Short title and extent.—(1) This Act may be called the Transfer of Detained Persons Act, 1949.

(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.

2. Removal of detained persons from one unit to another.—(1) Where any person is subjected to preventive detention for reasons connected with the maintenance of public order in any Province under a law for the time being in force in that Province, the Government of that Province may, with the consent of the Government of any other Province and the approval of the Central Government, provide by order for the removal of such person to any place of detention in that other Province ; and the person so removed shall be detained in that other Province in accordance with the provisions of the order.

(2) Notwithstanding the removal of any person from one Province to another Province under this section, the provisions of the law under which his preventive detention was ordered and regulated in the first Province shall, so far as applicable and subject to the necessary modifications, continue to apply to him as if he had not been removed from that Province.

(3) In this section "Province" includes any Acceding State to which this Act extends.

3. Repeal of Ordinance XVI of 1949.—(1) The Transfer of Detained Persons Ordinance, 1949 (XVI of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by this Act, as if this Act were in force on the day on which such thing was done or action was taken.

ACT No. XLIX OF 1949.

AN ACT

further to amend the Essential Supplies (Temporary Powers) Act, 1946.

WHEREAS it is expedient further to amend the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title.**— This Act may be called the Essential Supplies (Temporary Powers) Second Amendment Act, 1949.

2. **Amendment of the preamble, Act XXIV of 1946.**— In the preamble to the Essential Supplies (Temporary Powers) Act, 1946 (hereinafter referred to as the said Act),—

(a) after the words “woollen textiles” the words and brackets “raw cotton (including ginned cotton and unginned cotton or kapas) and cotton seed”, shall be inserted;

(b) after the word “coal” the brackets and words “(including coke and other derivatives of coal)” shall be inserted, and shall be deemed always to have been inserted.

3. **Amendment of section 2, Act XXIV of 1946.**— In section 2 of the said Act,—

(a) after item (ii) of clause (a), the following items shall be inserted, namely:—

“(iia) raw cotton,

(iib) cotton seed,”;

(b) after clause (a), the following clause shall be inserted and shall be deemed always to have been inserted, namely:—

“(aa) ‘coal’ shall include coke and other derivatives of coal;”;

(c) after clause (f), the following clause shall be inserted, namely:—

“(g) ‘raw cotton’ shall include ginned cotton and unginned cotton or kapas.”.

4. **Repeal of Ordinance XIV of 1949.**— (1) The Essential Supplies (Temporary Powers) Amendment Ordinance, 1949 (XIV of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action taken.

Act No. L of 1949.

AN ACT

further to amend the Rubber (Production and Marketing) Act, 1947.

WHEREAS it is expedient further to amend the Rubber (Production and Marketing) Act, 1947 (XXIV of 1947), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title**—This Act may be called the Rubber (Production and Marketing) Amendment Act, 1949.

2. **Amendment of section 14, Act XXIV of 1947.**—The proviso to section 14 of the Rubber (Production and Marketing) Act, 1947, shall be omitted.

Imphal, the 19th December, 1949.

ORDER NO. 41 OF 1949.

No. A I 2349 50.—The following prices are fixed for the sale of sugar, with immediate effect, and will remain in force until further orders :—

- | | |
|--|--|
| (1) From Government to wholesalers, delivery at Manipur Road Railway station. ... | Rs 35-2-0 per Md. |
| (2) From wholesalers to Retailers, delivery at Imphal. ... | „ 39-4-0 per Md. |
| (3) From Retailers to Consumers in Imphal area. ... | „ 41-4-0 per Md. i. e.
„ 1-0-6 per seer. |
| (4) From Retailers to consumers outside Imphal, but within 15 miles from it in the Manipur valley. ... | „ 41-14-0 per Md. i. e.
„ 1-0-9 per seer. |
| (5) From Retailers to consumers beyond 15 miles from Imphal but within Manipur valley and at Churachandpur, Mao, Tengnoupal and Ukhrul. | „ 42-8-0 per Md. i. e.
„ 1-1-0 per seer. |
| (6) From Retailers to consumers at Tamenglong, Thanlon, Aimol & Phaisat. | „ 50-0-0 per Md. i. e.
„ 1-4-0 per seer. |

P. C. Deb,
Asst. To Chief Commissioner.

FISHERY OFFICE, MANIPUR.

Imphal, the 20th December, 1949.

No. 563/TBL.—Wahengpat has been recognized as a registered Govt. fishery, under C. R. No. 28 of 24-3-49 with the following boundaries :—

East :—Iril Turel.

South :—Patlow Khulak and ching.

West :—Patlow chingjeng lowkhong.

North :—Pukhao Phoorjoo and Sagolmang Khoonou.

The corresponding fishery number is 399

No. 564/TBL.—The portion of the Borak river between Lushai Khal Mukh and Moko Mukh has been recognized as a registered Govt. Fishery with effect from 23-11-49, with the sanction of Hon'ble Chief Commissioner of Manipur. The corresponding number of this fishery is 402.

M. Radhesyam Singh,
Fishery Officer.

Received no. 756/E.S-2
29/12/49

Manipur



Gazette

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Imphal, Wednesday, December 21, 1949.

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PART I

**OFFICE OF THE CHIEF COMMISSIONER,
MANIPUR.**

ORDER No. 36 OF 1949.

Imphal, the 14th December, 1949.

No. ACC. I/2141/4.—Shri Ksh. Gokulchand Singh, Mauzadar, Jiribam is allowed leave on average pay for 15 days with effect from the 1st December, '49. Shri Abani Kumar De, Head clerk, Jiri Mauzadar's Office will act as Mauzadar in his place in addition to his own duties.

NOTIFICATION

No. ACC. I /29/49/2137-8.—In exercise of the powers conferred by section 133 (i) of the Assam Land and Revenue Regulation 1886 (I of 1886), the Chief Commissioner is pleased to appoint Shri Mutum Radheshyam Singh, Fishery Officer to be Assistant Settlement Officer.

In exercise of the powers conferred by section 137 of the Assam Land and Revenue Regulation 1886 (I of 1886), the Chief Commissioner is pleased to invest Shri Mutum Radheshyam Singh, Fishery Officer, with the following powers of a Deputy Commissioner, for the recovery of arrear fishery revenue :—

Powers to proceed against moveable property for arrears of revenue under section 69 of the Regulation.

ORDER NO. 38 OF 1949.

No. ACC. I/2195-8.—The Chief Commissioner is pleased to accord sanction to the creation of the post of Superintendent of Commerce and Industries Department, Manipur w.e.f. 1-11-49 on the pay scale of 100-5-150.

P. C. Deb,
Asstt. To Chief Commissioner.

PART II

Imphal, the 14th December, 1949.

ORDER No. 35 of 1949.

No. ACC. 1/97,40/2161-7.— Under the existing system of Kerosine distribution in Manipur, a cartage at a uniform rate of ten annas per tin is allowed to be levied on all retailers by the B. O. C. Agency, from the proceeds of which a subsidy at one anna per unit = (2 tins) per mile, limited to 60 miles, is allowed to retailers of areas outside Imphal, for covering their cost of transport.

This system was evolved for enforcing a uniform retail price for Kerosine throughout the State. As a matter of fact however, it has resulted in the quotas meant for the distant areas, for which the retail dealers concerned get a good amount as subsidy, to be largely black-marketed in Imphal, as the said retailers find it more profitable to do so, than to carry it to their areas for selling to the public. Necessarily, areas for which the Kerosine was meant get no supply. On the other hand 80 to 90 per cent of the allotment for Imphal for which there is no subsidy lies unsold every month.

In order to avert this situation, it is hereby ordered that the levy of the surcharge called cartage, at 10 annas per tin, will with immediate effect, be abolished and all Kerosine will henceforth be sold by the B. O. C. Agency at the same rate to all retailers.

There is now sufficient supply of Kerosine for Manipur. The retailers will therefore be allowed to buy as much as they think may be consumed in their allotted areas, without any restriction whatsoever.

The new system will necessarily mean different retail rates for Kerosine for different localities, which are being fixed soon.

In order to avoid the necessity for all retail dealers to come to Imphal to have their supply, steps are being taken to appoint whole-salers at important Bazars throughout the State, from which the retail dealers will, henceforth have their supply.

ORDER NO. 12 of 1949.

No. 1032. 34/ACC.III.—The Government of India, Ministry of Finance's Office Memorandum No. F. 23-(7)-EV/49 dated the 15th November 1949 on the subject of "Emergency Deduction from pay for certain Government servants and compulsory Savings for others" will be applied to contract Officers serving under the Government of Manipur with effect from the pay or leave salary for the month of November payable in December, 1949.

ORDER No. 15 of 1949.

No. 1036-37/ACC.III.— The sale Tax chargeable on handloom clothes under Manipur State Sale Tax Ordinance 1949 is abolished with effect from 15-12-49.

Himmat Singh,
Chief Commissioner, Manipur.

ORDER No. 37 OF 1949.

Imphal, the 12th December, 1949.

No. ACC. I/2251-3.— Shri Kongkham Amuyaima Singh of Haobam Marak Keisam Leikai, Imphal, is allowed to establish a Match Factory in his own compound provided he abides by the rules and conditions of the Manipur Government, which may be prevalent from time to time.

P. C. Deb,
Asstt. to Chief Commissioner,
Manipur.

No. 5984-94/Hill.— The Chief Commissioner is pleased to order that payment of the dues viz "Buhsun" and "Saliang" to the Chiefs or Khulakpas as the case may be, will continue as usual at the existing rates until further orders.

The confiscation of houses, gardens and other properties of a villager when he migrates to another village and building of the houses of chiefs or khulakpas in the shape of forced labour will remain in abeyance until further orders.

Tiankham,
Assistant to Chief Commissioner
for Hill Affairs, Manipur.

Imphal, the 14th December 1949.

No. ACC. II/1176.—The Indian Tariff Act, 1934, which was published in the Gazette of India, Part IV—Extraordinary dated the 5th December 1949 Act No XLIII of 1949 is republished for general information.

H.B. Singh,

Asst. to Chief Commissioner.

[AS PASSED BY THE DOMINION LEGISLATURE]

AN ACT.

further to amend the Indian Tariff Act, 1934.

Whereas it is expedient further to amend the Indian Tariff Act, 1934 (XXXII of 1934), to provide for the levy of protective duties on aluminium;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Indian Tariff (Second Amendment) Act, 1949.

2. Amendment of First Schedule, Act XXXII of 1934.—In the First Schedule to the Indian Tariff Act, 1934,—

(i) in Item No. 40(3), in the entry in the second column, for the words “and fittings thereof.”, the words “including parts and fittings thereof not otherwise specified” shall be substituted,

(ii) for Items Nos. 66 and 66(1), the following Items shall be substituted, namely:—

166	Aluminium manufactures, the following, namely:—					
(a)	plates, sheets, circles, strips and foil, including foil in any form or size ordinarily used as parts and fittings of teachests,	Protective.	30 per cent <i>ad valorem</i> plus Rs. 121 per ton	..	..	May 14th, 1952.
(b)	other manufactures, not otherwise specified.	Revenue.	30 per cent <i>ad valorem</i>			
166(1)	Aluminium in any crude form, including ingots, bars, blocks, slabs, billets, shots and pellets.	Protective.	30 per cent <i>ad valorem</i> plus Rs. 328 per ton	...	...	May 14th, 1952.

(iii) in Item No. 70(1), to the entry in the second column, the following proviso shall be added, namely:—

“Provided that any such alloys or manufactures containing more than 97 per cent. of aluminium shall be deemed to be aluminium in a crude form or aluminium manufactures, as the case may be, and dutiable as such.”

PUBLISHED BY AUTHORITY

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Imphal, Wednesday, December 14, 1949.

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PART II

**OFFICE OF THE CHIEF COMMISSIONER,
MANIPUR.**

ORDER No. 26 OF 1949.

Imphal, the 5th December, 1949.

No. CC 100 49 8/926 9—Whereas Shri Maipaksana Singh, Government Publicity Officer is still the editor of the Praja-Pravara besides being a Govt. servant; and Whereas the said Shri R. K. Maipaksana submitted his resignation on 2-12-49.

Now, therefore, the Chief Commissioner of Manipur has been pleased to terminate the services of Shri R. K. Maipaksana as Publicity Officer, Manipur Govt. with effect from the 3rd of December, 1949.

ORDER No. 32 OF 1949.

Imphal, the 9th December, 1949.

No. CC 26/49, 1076-8.—The Chief Commissioner, Manipur has been pleased to lift the ban on the export of 4" pipes with immediate effect.

H. B. S.,
Asstt. to Chief Commissioner.

Imphal, the 2nd December, 1949.

No. ACC. 1/1658—The following notification issued by the Government of India, Ministry of Finance (Revenue Division), is republished for general information:—

No. 52/ F. No. 90 (167)-Cus. 1/48., dated the 15th October, 1949.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to exempt gypsum imported into the Provinces of India from payment of customs duty leviable thereon.

P. C. Deb,
1st Assistant to Chief
Commissioner, Manipur.

ORDER No. 27 OF 1949.

Imphal, the 3rd December, 49.

No. ACC I/1709 11.—In continuation of Notification No. 0002/U.C. of 16th October, 1949, it is hereby ordered that the entertainment of the temporary establishment which was known as the Dewan's Office staff (two clerks and one chaprassi) is extended upto the end of March, '50.

Himmat Singh,
Chief Commissioner, Manipur.

NOTICE

Imphal, the 8th December, 1949.

The Chief Commissioner of Manipur is pleased to sanction the revised rates of fees for different types of wireless licences with immediate effect.

Description of Licence.	Fee payable.
1. (a) Broad band Receiver Licence except those at (b) & (c) below.	Rs. 15/-

(b)	Broadcast Receiver license	}	...	Rs. 3/-
	for (i) Schools			
	(ii) Institutions for the blind			
	(iii) Crystal Receiver set	}		
(c)	Community Broadcast Receiver license.	...		Rs. 10/-
2.	Commercial Broadcast Receiver license.	...		Rs. 50/-
3.	Demonstration License.	...		Rs. 15/-
4.	Possession License (both Dealer's and Non-dealer's possession License).	...		Rs. 15/-
5.	Mobile Station License.	...	...	Rs. 15/-
6.	Fixed Station License.	...	...	Rs. 15/-

Th. Kalachand Singh,
Assistant to Chief Commissioner (III),
Manipur.

PART III

Imphal, the 3rd December, 1949.

No. ACC.I/1661 '4.— The following Press Note issued by the Government of India, Ministry of External Affairs, is republished for general information :—

New Delhi, September 26, 1949.

PRESS NOTE.

BURMA CITIZENSHIP FOR PERSONS TEMPORARILY ABROAD.

The Government of the Union of Burma has decided that persons eligible for Union Citizenship under the Union of Burma Citizenship (Elections) Act, 1948, who are abroad for bonafide reasons may send their

applications in the prescribed form for election of Union Citizenship to the Burmese Embassy in New Delhi not later than December 31, 1949.

Applications should be addressed to the 3rd and 4th judges of the City Civil Court in Rangoon or to Sub-judges of the District in Burma to which the applicant belongs with three authenticated photographs of 1½" x 2" and a fee of Rs.2/- being the cost of revenue stamp, together with necessary foreign Postal Money Order charges. Application forms are obtainable from the 3rd and 4th judges of the City Civil Court in Rangoon either direct or through the Burmese Embassy in New Delhi.

P. C. Deb,
Asstt. to Chief Commissioner,
Manipur.

Manipur Gazette

PUBLISHED BY AUTHORITY

No. 10

Imphal, Wednesday, December 7, 1949.

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PART I

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 27th November, '49.

ORDER No. 19 OF 1949.

No. ACC I/1427/67—The Superintendent, Commerce & Industry Department will henceforth be designated as "Superintendent, Civil Supply." The Department will be known as the "Department of Civil Supply."

This order will not affect the present Superintendent's duties or emoluments.

Imphal, the 2nd December, '49.

ORDER No. 25 OF 1949.

No. ACC. I/1606 8—In continuation of Notification No. 0002, CC. of 16th October, 1949 it is hereby ordered that the establishment which was known as the Assembly Office shall with retrospective effect from 5-10-49 merge into the Chief Commissioner's office.

Himmat Singh,
Chief Commissioner, Manipur.

PART II

NOTIFICATION

Imphal, the 24th November, '49.

No. 729/ACC. III.—In connection with Manipur Sale Tax Ordinance 1949 published in the Manipur State Gazette of 21st September 1949 the undermentioned order of Chief Commissioner is published for information of the public.

Th. Kalachand Singh,
Asst. to Chief Commissioner (III).

ORDER No. 4 OF 18-11-49.

In Schedule-III, Manipur Sale Tax Ordinance-1949 add, "16 Betel leave".

Sd/ Amar Singh,
Chief Commissioner, Manipur.

ORDER NO. 24 OF 1949.

Imphal, the 1st December, 1949.

No. ACC. I 1597, 9—In partial modification of existing orders in this behalf it is hereby ordered that the rates of cart tax and surcharge on rice, paddy and paddy products shall with immediate effect be fixed as follows until further orders :—

	CART TAX		SURCHARGE
Rice & Chira	... Rs. 3/-.	...	Rs. 2/-.
Paddy & Khudi	... Rs. 2/-.	...	„ 1/-.
Other paddy products	... Rs. 2/-.	...	„ 1/-.

Himmat Singh,
Chief Commissioner, Manipur.

Imphal, the 1st December, 1949.

No. 1/J.S/11/13/14—In the matter of the Indian Co. Act. 1913 & In the matter of the Manipur Commercial Co. Ltd.

Notice is hereby given pursuant to Section 247 (3) of the Indian Companies Act, 1913 that at the expiration of three months from this date, the name of the Manipur Commercial Company Ltd. will, unless cause is shown to the contrary, be struck off the Register of Companies and that the Company will be dissolved on the ground that it is not carrying on any business or is not in operation.

Hajarika,
Registrar, Joint Stock Cos., Manipur.

PART III
AMMENDMENT.

Imphal, the 6th December, 1949.

No. CC. 62 49-A/7—The Chief Commissioner, Manipur has been pleased to order the deletion of the first portion of No. CC. 62/49-A published in Manipur Gazette of 30th November, 1949, upto "therefore" in the 1st line of 3rd para.

H.B. Singh,
Assistant to Chief Commissioner.

PUBLISHED BY AUTHORITY

p. 8

Imphal, Wednesday, November 23, 1949.

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PART I

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

ORDER No 10 OF 14-11-49.

No. A.C.C.I-0893-900—Shri Th. Bihari Singh, B. A. Tahsildar, Mayang Imphal Tahsil is appointed temporarily to act until further orders as Land Settlement Officer. He will be in charge of Land Settlement Administration of the five Tahsils and in addition, will also carry out the assessment of compensation for aerodromes and discharge the duties of the Reforms Officer.

Shri W. Gouro Singh, B. A., Tahsildar, Bishenpore is appointed temporarily to act until further orders as Land Revenue Officer. He will be in charge of Land Revenue collection of the five Tahsils and in addition, will also carry out the recovery of the excess compensation money.

Both will draw officiating allowances according to Rules while in these posts and will relieve Shri P. C. Deb who has been appointed First Assistant to Chief Commissioner and is now carrying on all the above duties due to the absence on leave of Sri R. K. Setu Singh, who was to have relieved him.

Both the officers will be independent of each other but the charge of the Headquarters office will be with Shri W. Gouro Singh.

They will hand over charge of their present offices to their respective Head Clerks, and join their new duties immediately.

Amar Singh, Major-General,
Chief Commissioner, Manipur.

PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 18th November, 1949.

No. CC. 33/49/12/511-2—The following Notification issued by the Government of India, Ministry of Defence, is republished for general information.

H. B. Singh,
ASSTT. TO CHIEF COMMISSIONER.

No. 8368-D6 (a) dated the 22nd July, 1949. from Govt. of India, Ministry of Defence, New Delhi.—

1. USE OF MILITARY RANKS BY EX-ARMY OFFICERS.

Army Instructions (India) No. 1212 of 1945 and No. 809 of 1946 give detailed information regarding grant of honorary rank to or retention of honorary rank by ex-Army Officers.

If any ex-Army Officer is re-employed in the Army, his honorary rank is, under the rules, automatically suspended whilst he is so employed as he gets an appropriate Military rank on re-employment. No orders have been issued by this Ministry which forbid the use of honorary rank by ex-Army Officers while in civil employ and, therefore unless the use of honorary rank is suspended, an officer in civil employ will be entitled to use it in official correspondence and otherwise. It is considered that Provincial Government/Administration concerned may at their discretion issue any orders they think necessary to suspend the use of honorary rank by ex-Army Officers employed in civil posts under them.

2. WEARING OF UNIFORM BY EX-ARMY OFFICERS.

Indian Army Order No. 718 of 1948 lays down that ex-Army Officers cannot wear uniform except with the specific sanction of Army Headquarters India and such permission to wear uniform either temporarily or permanently will be granted only in exceptional circumstances.

Imphal, the 18th November, 1949.

No. CC. 102 49/5/506-8—"The abolition of Privy Council Jurisdiction Act, 1949 (Constituent Assembly Act No. V of 1949)" received through the Ministry of States under letter No. F. 1 (50)-J/49 dt. 5-10-49 is published for general information.

By order etc.

H. B. Singh,

ASSTT. TO CHIEF COMMISSIONER.

(C. A. ACT V OF 1949)

(AS PASSED BY THE CONSTITUENT ASSEMBLY OF INDIA).

An act

to abolish the jurisdiction of His Majesty in Council in respect of Indian appeals and petitions.

WHEREAS it is expedient to abolish the jurisdiction of His Majesty in Council in respect of Indian appeals and petitions, and to confer a corresponding jurisdiction of the Federal Court of India ;

It is hereby enacted as follows :-

1. (1) This Act may be called the Abolition of Privy Council Jurisdiction Act, 1949. Short title and commencement.

(2) It shall come into force on the tenth day of October, 1949, which day is hereinafter referred to as " the appointed day. "

2. (1) As from the appointed day, the jurisdiction of His Majesty in Council to entertain, and save as hereinafter provided to dispose of, appeals and petitions from, or in respect of, any judgment, decree or order of any court or tribunal (other than the Federal Court) within the territory of India, including appeals and petitions in Abolition of Privy Council Jurisdiction.

respect of criminal matters whether such jurisdiction is exercisable by virtue of His Majesty's prerogative or otherwise, shall cease.

(2) The appeals and petitions aforesaid are hereinafter referred to as "Indian appeals" and "Indian petitions", respectively.

26 Geo. 5
c. 2.

3. (1) Sections 208 and 218 of the Govt. of India Act, 1935, are hereby repealed.

Repeal

(2) Any legal proceedings pending by virtue of the said section 208 immediately before the appointed day, whether before His Majesty in Council or the Federal Court, shall by virtue of this Act abate on the appointed day.

4. Nothing contained in section 2 shall affect the jurisdiction of His Majesty in Council to dispose of —

Continuance of
Privy Council
jurisdiction in
certain pending
cases.

(a) any Indian appeal or petition on which the Judicial Committee of the Privy Council has before the appointed day delivered judgement or, as the case may be, reported to His Majesty, but which has not been determined by an Order in Council of His Majesty ; or

(b) any Indian appeal or petition on which the Judicial Committee has, after hearing the parties, reserved judgement or order ; or

(c) any Indian appeal which has been entered before the appointed day in the list of business of the Judicial Committee for the Michaelmas sittings of the year 1949 and which after that day is not directed to be removed therefrom by or under the authority of the Judicial Committee ; or

(d) any Indian petition which has been lodged before the appointed day in the Registry of the Privy Council.

Conferment
of corres-
ponding ju-
risdiction on
Federal
Court

5. (1) As from the appointed day, the Federal Court shall, in addition to the jurisdiction conferred on it by the Govt. of India Act, 1935 and the Federal Court (Enlargement of Jurisdiction) Act, 1947, but subject to the provisions of this section, have the same jurisdiction to entertain and dispose of Indian appeals and petitions as His Majesty in Council has, whether by virtue of His Majesty's prerogative or otherwise, immediately before the appointed day.

26 Geo. 5 c. 2.
I of 1948.

(2) Notwithstanding anything contained in subsection (1) of this section, the Federal Court shall have no jurisdiction in respect of any such appeal or petition as is referred to in section 4 ;

Provided that where, upon any such petition as aforesaid, special leave to appeal to His Majesty in Council is granted after the appointed day, all further steps to be taken in the appeal shall be taken in, and the appeal shall be disposed of by, the Federal Court as if the special leave to appeal had been granted on a petition made to that Court.

(3) If any question arises whether an appeal or petition is an appeal or petition of the nature referred to in clause (a), (b), (c) or (d) of section 4, a certificate of the Registrar of the Privy Council shall be conclusive evidence on the question

Transfer of pending appeals to the Federal Court.

6. All proceedings in respect of any Indian appeals pending before His Majesty in Council immediately before the appointed day, except those referred to in section 4, shall by virtue of this Act stand transferred to the Federal Court, and shall be disposed of by it in the exercise of the jurisdiction conferred on it by this Act.

Continuance of certain proceedings in High Courts.

7. All proceedings and steps taken in, and orders made and certificates granted by, a High Court in connection with an Indian appeal or petition shall, except in the case of any such appeal or petition as is referred to in section 4, be deemed to be in connection with an appeal or petition to the Federal Court from, or in respect of, the same judgement, decree or order under the provisions of this Act, and shall be concluded, or as the case may be, have effect accordingly.

Effect of orders of His Majesty in Council.

8. Any order of His Majesty in Council made on an Indian appeal or petition, whether before, on or after the appointed day, shall for all purposes have effect, not only as an order of His Majesty in Council, but also as if it were an order or decree made by the Federal Court in the exercise of the jurisdiction conferred by this Act.

Amendments of the Govt. of India Act 1935.

9. (1) In section 205 of the Government of India Act, 1935 (hereinafter referred to as the said Act), for subsection (2) the following subsection shall be substituted, namely :—

26 Geo. 5 c. 2

“(2) Where such certificate is given, any party in a case may appeal to the Federal Court on the ground that any question as aforesaid has been wrongly decided and, with the leave of the Federal Court on any other ground.”

(2) In section 209 of the said Act, for sub-sections (1) and (2) the following sub-section shall be substituted, namely :—

Act V of
1908

“(1) The Federal Court in the exercise of its appellate jurisdiction may pass such decree or make such order as is necessary for doing complete justice in any cause or matter pending before it, including an order for the payment of costs, and any decree so passed or order so made shall be enforceable throughout the territory of India in the manner provided in that behalf in the code of Civil Procedure, 1908, or in such other manner as may be prescribed by or under a law of the Dominion Legislature, or subject to the provisions of any such law, in the manner prescribed by rules made by the Federal Court”.

(3) In clause (a) of sub-section (3) of section 210 of the said Act, for the word, brackets and figure “sub-section (2)” the word, brackets and figure “sub-section (1)” shall be substituted.

(4) In section 214 of the said Act, after sub-section (1) the following sub-section shall be inserted, namely :—

Act V o
1908.

“(1A) Subject to the provisions of the Code of Civil Procedure, 1908, or any law made by the Dominion Legislature, the Federal Court may also from time to time, with the approval of the Governor-General, make rules of court for regulating the manner in which any decree passed or order made by it in the exercise of its appellate jurisdiction may be enforced”.

Act V of
1908.

10. The provisions of the Code of Civil procedure, 1908, and of any other law in force on the appointed day relating to Indian appeals and petitions shall as from that day have effect, except in relation to the appeals and petitions referred to in section 4, as if in the said provisions, for all references to His Majesty in Council, there had been substituted references to the Federal Court.

Modification of
existing laws.

PART III

U. N. O. SOCIAL WELFARE FELLOWSHIP FOR 1950.

Imphal, 21st Nov. 49.

The United Nations Organisation propose to continue their social welfare fellowship programme during 1950. The purpose of the programme is to allow opportunity to Governments to send experts abroad to gain first hand knowledge in the field of social welfare that will be helpful

to the home country. The duration of the fellowship is, in general, three to six months and observation under the programme includes primarily intensive study of the administration and practice in agencies, organisations, institution and other centres of welfare activity.

Full particulars and application forms are available from the Publicity Officer. Intending candidates are requested to contact him in person on or before 25th November 49.

Rajkumar Maipak Sana,
Publicity Officer, Govt. of Manipur.

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

Imphal, the 18th November, 1949.

No. CC 16/49/24/510—The following Notification issued by the Under Secretary to the Government of India, Ministry of Industry & Supply is published for general information.

By order etc.,

H. B. S.

Asstt. to Chief Commissioner.

INDENTS FOR PUBLICATIONS.

The undersigned is directed to refer to this Ministry's Office Memorandum No. P.I/4(9) dated the 18th May, 1948 and 12th August, 1948, on the above subject, and to say that in order to dispense with the elaborate procedure prescribed for the procurement of service stores, so far as publications are concerned, it has been decided that indentors for American publications may place their indents direct on the India Supply Mission, Washington, without routing the same through the Directorate General, Industries and Supplies, New Delhi. The indentors should, however, clearly indicate in their indents the Head of Account to which the expenditure is to be debited and also the fact of having obtained the necessary sanction for incurring the dollar expenditure involved.

2. If American publications can be had from the U. K. there is no objection to obtaining these through the Director General, India Store Department, London. If, however, these publications can be obtained within the country itself, these should be purchased locally.

No. 364-365/C—Students of this college who had been unsuccessful in the Intermediate Examination and who are desirous of appearing at the ensuing I. A. Examination of Gauhati University as private candidates through this college are hereby informed to apply to the undersigned with a Test Examination fee of Rs. 10/- and a Registration fee of Rs. 2/- each on or before the 30th of November 1949.

N. B. Singha

16-11-49

Principal, D. M. College, Imphal.

Ref. No. 583/E.S.-I
25-4-49.

The Manipur



State Gazette

EXTRAORDINARY

PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

No. 121-E 15

Imphal, Friday, October 14, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART I

PALACE OFFICE, IMPHAL

Order No. 38 P. of 1949.

In the light of Section 41 (b) and in exercise of the power conferred by section 2 of the Constitution Act, 1947 I hereby, appoint Sree M. Radhamohon Singh, B. A. permanent Puisne Judge in Manipur State Chief Court, with effect from the 5th October, 1949.

This order disposes of C. R. No. 10 of 10-1949.

Bodh Chandra Singh,
Maharaja of Manipur.

Order No. 40 P. of 1949.

His Highness the Maharaja is pleased to grant Sjt. R. K. Bhaskor Singh, Judge of Chief Court, leave on average pay for 18 days with effect from the 11th October, 1949 to 28th October, 1949.

G. H. Singh,
Private Secretary
to H.H. the Maharaja
of Manipur.

Order No. 41 P. of 1949.

In consequence of the appointment of Sree M. Radhamohon Singh as a permanent Puisne Judge in the Chief Court, Manipur State, Sree S. Gourhari Singh has been

confirmed to his present post as Private Secretary to H. H. and Sree M. Anandamohon Singh also to his present post as Aide-de-Camp to H. H. with effect from the date on which Sree M. Radhamohon Singh is appointed permanent Puisne Judge (i.e. the 5th October, 1949).

Order No. 42 P. of 1949.

In pursuance of sec. 41 (b) of the Manipur State Constitution Act, 1947 and in exercise of the power conferred by sec. 42 of the Act, I hereby, appoint Shri Thakur Lakshmi Narain the Chief Justice of the Chief Court, Manipur State, subject to the terms of appointment in accordance with the provision of D. R. No. 1 (1) of 23-5-47, with effect from the 14th October, 1949.

Bodh Chandra Singh,
Maharaja of Manipur.

Order No. 44 of 49-50. Dated 14-10-49.

No. 2186-93 C. C/A-I—Vide the proceedings of the meeting of the Hon'ble Judges of Chief Court held on 13th Oct., 49, Sri Kojiam Ruhini Kumar Singh is allowed to practise as pleader in Chief Court also; and Sri Seram Angouba Singh and Sri Chongtham Samarendra Singh are allowed to practise as legal practitioners in courts

subordinate to the Chief Court. They are all to do the same after paying the necessary fees and proper enrolment as such.

Lakshminarain,
Chief Judge, Chief Court,
Manipur.

PART II

Council Resolution No. 9 of 5-10-49.

To reconsider C. R. No. 6 of 27-7-49, in the light of S. P.'s Memo No. 4218-CP. dt. 4-10-49, regarding sales tax on petrol and lubricants under Sale Tax Ordinance, 1949.

H. H. is requested to make, in exercise of powers conferred by section 31 of the Manipur State Constitution Act 1947, the following amendments to the Manipur State Sale Tax Ordinance 1949 :—

Section 2—Delete full stop after "Manipur" and add the following :—

"except those on motor spirit and lubricants, and matches".

Section III—

List No. 9—Delete "Motor spirit and lubricants".

As the Ordinance will come into w.e.f. 8-10-49, action will be taken in anticipation of H. H.'s approval.

Approved by H. H. vide Memo No. 571 P. 1/49/50 dt. 11-10-49.

Council Resolution No. 30 of 5-10-49.

To reconsider C. R. No. 52 of 14-9-49, about fixing date for the commencement of Sales Tax Ordinance 1949.

The Manipur State Sales Tax Ordinance will come into force with effect from 8-10-49. This is in supercession of C. R. No. 52 of 14-9-49.

By order of H. H. in Council.

Council Resolution No. 3 of 14-9-49.

To consider the introduction of the Central Govt. servants (Investigation of offences and punishment) Ordinance 1949, into the State in connection with Asstt Adviser to the Governor of Assam's Memo No. S/Misc/ 326/49/23 dt. 17-8-49, to the Dewan Sahib.

H. H. the Maharaja in Council, in exercise of Power conferred by section 31 of the Manipur Constitution Act 1947, is pleased to promulgate the Ordinance.

Approved by H. H. vide Memo No. 527 P. 1/49/50 dt. 10-10-49.

H. B. Singh,
Chief Secretary

Central Govt. Servants (Investigation of offences and punishment) Ordinance of 1949.

Whereas it is necessary to make immediate provision for the investigation of offences committed by, and punishment of, Central Government servants within the State. Preamble

And whereas the legislature is not immediately available.

Now, therefore, in exercise of powers under section 31 of the Manipur State Constitution Act, His Highness the Maharaja of Manipur in Council is pleased to make and promulgate the following Ordinance, viz :—

1. (1) This Ordinance may be called the Central Government Servants (Investigation of offences and punishment) Ordinance, 1949. Short title, extent and commencement

(2) It shall apply to the whole of the Manipur State.

(3) It shall come into force at once on publication in the State Gazette.

2. (1) Any Central Government servant who may while serving, for the time being, within the Manipur State, commits within the State an offence within the meaning of section 5 of the Indian Prevention of Corruption Act, 1947 (Act II of 1947), shall be triable in a court of competent jurisdiction in the State and shall, on conviction, be punishable with the punishment prescribed therefore in that section.

Application of sec. 5 Prevention of Corruption Act and liability Central Govt. servants to be tried and punished in the State.

(2) Section 5 of the Indian Prevention of Corruption Act (II of 1947) with such other provisions of the said Act as are necessary for, and relevant to, the application and operation of that section, shall for the purpose of sub-section (1) apply mutatis mutandis to the Manipur State, so long as that section is in force in India

3. (1) Notwithstanding anything contained in any law in force in the State, the Delhi Special Police Establishment, functioning under the Delhi Special Police Establishment Act, 1946 (Indian Act XXV of 1946) shall have, and exercise, within the State, such police powers as are provided for in the said Act and as are necessary for the investigation of offences committed by the Central Government servants which come within the scope of its activities under the said Act.

Delhi Special Police Establishment empowered to function in the State under the Delhi Special Police Establishment Act 1946.

(2) The Delhi Special Police Establishment Act, 1946 (Indian Act XXV of 1946) shall apply mutatis mutandis to the Manipur State so far necessary only for the purpose of sub-section (1).

PUBLISHED BY AUTHORITY

Imphal, Wednesday, November 9, 1949.

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PART I

OFFICE OF THE CHIEF COMMISSIONER MANIPUR.

Imphal, the 1st November, 1949.

ORDER NO. 4 OF 1-11-49.

O. ACC.1/0308/11—Shree L. Thagoi B. A., Secretary of the now defunct Legislative Assembly is appointed Superintendent of Commerce and Industries Department with effect from 1st November, 1949.

He shall continue to draw the same salary as in his former post.

Amar Singh, Major-General,
Chief Commissioner, Manipur.

ORDER No. 4.

O. CC. 100/49/11—Shri R. K. Maipak Singh is appointed Publicity Officer of the Govt. with effect from the 1st November, 1949, at a salary of Rs. 50/- p m. He shall take over charge from Shri Sanahal Singh on this date.

By order etc.,

H. B. Singh,

Asstt. to Chief Commissioner.

PART II

OFFICE OF THE CHIEF COMMISSIONER MANIPUR

NOTIFICATION NO. 5.

Imphal, the 1st November, 1949.

O. ACC. 1/0411/9—In supersession of Manipur State Council Resolution No. 1 of 1949, it is hereby notified for general information that the Board hereinbefore known as Manipur State Transport Advisory Board, with immediate effect be reconstituted in the following, under the name and style of Manipur Transport Advisory Board :—

(1) Second Assistant to Chief Commissioner – Chairman (Ex-officio).

(2) Third Assistant to Chief Commissioner – (Ex-officio) Member.

(3) Fourth Assistant to C. C. –(Ex-officio) Member.

(4) Superintendent of Police, Manipur – (Ex-officio) Member.

(5) One representative of the Manipur Chamber of Commerce – Member.

(6) One representative of the P. W. D. – Member.

(7) One representative of the Drivers of Manipur Transport – Member.

(8) Manager, Manipur Transport – (Ex-officio) Member.

The Manager will act as the ex-officio Secretary.

The existing representatives of the Manipur Chamber of Commerce and of the Drivers of Manipur Transport shall continue to function.

Amar Singh, Major-General,
Chief Commissioner, Manipur.

PART III

নোটিশ নং ১১

ইম্ফাল, তাং ২৬/১১/৪৯ ইং

NO. 1406/7F/IX/4—মণিপুর প্রজা পুন্নমন্তা সংজ্ঞায়। মরমদি :— ফোরেট ডিপার্টমেন্ট-এ এলি-ফেন্ট কোফতা শিজিন্ন-বা নিমোন মন ১২ লেব' তারি। মন্দা মমল কয়াদা পীবিবা জমগদগে হায়বা অডগী টেণ্ডার তাং ২১/১১/৪৯ ইং নিংথোকাবা হুমিঃকী পুং ১ তাবা ফাওবগী মনুংদা ফোরেট আফিসতা পীবিবকপা য়াগনি। ইতি

আর, কে, বিজয়চন্দ্র সিংহ,
ফোরেট আফিসার, মণিপুর।

Manipur Gazette

PUBLISHED BY AUTHORITY

Imphal, Wednesday, October 26, 1949.

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PART II

OF THE CHIEF COMMISSIONER, MANIPUR

NOTIFICATION

Imphal, the 21st October 1949.

ACC. 0084/8—Whereas the Manipur Legislative Assembly has been dissolved by Manipur Administration Order 1949, under Notification No. 219 P. in the Gazette of India dated the 15th October, 1949, and the Government of India dated the 15th October, 1949, have by order ordered that the Manipur State Election Tribunal which was constituted to hear election cases shall also stand dissolved respectively with effect from the mid-day of Saturday, the 15th October, 1949, and all cases pending before it shall be ordered struck off.

All papers and funds held by the Election Tribunal shall be handed over to the Chief Commissioner.

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

Imphal, the 25th October 1949.

No. ACC. I-0174/ORGL.—Full text of Manipur Administration Order 1949, published in the Gazette of India Extra-ordinary

dated the 15th October 1949, is re-published below for general information :—

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

No. 219-P.

GOVERNMENT OF INDIA MINISTRY OF STATES

Dated New Delhi, the 15th October 1949.

NOTIFICATION.

WHEREAS the Central Government has full and exclusive authority, jurisdiction and powers for, and in relation to, the governance of the State of Manipur;

NOW THEREFORE, in exercise of the powers conferred by Sections 3 and 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947) and of all other powers enabling it in this behalf, the Central Government is pleased to make the following order :—

1. Short title, extent and commencement :—

(1) This Order may be called the Manipur (Administration) Order, 1949.

(2) It extends to the whole of Manipur.

(3) It shall come into force on the 15th day of October, 1949.

2. Definition :—In this Order, "Manipur" means the whole of the area, which, immediately before the commencement of this Order, is comprised within the State of Manipur.

3. Appointment of Chief Commissioner :—There shall be a Chief Commissioner appointed by the Central Government at the head of the Administration of Manipur.

4. Appointment of functionaries :—(1) Subject to the control of the Central Government, the Chief Commissioner may appoint such Judges, Magistrates and other Officers as may be necessary for the administration of Manipur and may, by general or special order, determine their jurisdiction, powers, duties and functions.

(2) Without prejudice to the provisions of sub-paragraph (1), all Judges, Magistrates and other officers who immediately before the commencement of this Order, were exercising lawful functions in Manipur or any part thereof shall, until other provision is made by the Chief Commissioner, continue to exercise their respective functions in the same manner and to the same extent as they were doing before the commencement of this Order.

5. Existing laws to continue :—All laws in force in Manipur or any part thereof immediately before the commencement of this Order shall continue in force until repealed or amended by a competent legislature or authority.

Provided that all powers exercisable under the said laws by His Highness the Maharaja or the Government of the State shall be exercisable by the Chief Commissioner.

6. Continuance of existing taxes :—All taxes, duties, cesses or fees which immediately before the commencement of this Order, were being lawfully levied in Manipur or any part thereof shall continue to be levied and applied to the same purposes, until other provision is made by a competent legislature or authority.

7. As from 15th October, 1949 the Ministers in Manipur State shall cease to function and the Legislature of the State shall stand dissolved.

Sd/-M. K. Vellodi,
Joint Secretary.

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Imphal, Wednesday, November 2, 1949.

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PART I

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

ORDER No. 3.

Imphal, the 31st October, 1949.

No. ACC. I-4424—Mr. T. C. Tiankham, A. is appointed 4th Assistant to the Chief Commissioner with effect from the 1st November, 1949. This is as a Temporary measure as applies to the appointments of the other three Assistants. Mr. Tiankham will draw Rs. 350/- p. m. and deal with Hill matters.

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

Order No. 44 of 49-50. Dated 14-10-49.

No. 2186-93 C. C/A-I—Vide the proceedings of the meeting of the Hon'ble Judges of the Chief Court held on 13th Oct., '49, Sri Bijam Ruhini Kumar Singh is allowed to practise as pleader in Chief Court also; and Sri Seram Angouba Singh and Sri Hongtham Samarendra Singh are allowed to practise as legal practitioners in courts subordinate to the Chief Court. They are allowed to do the same after paying the necessary fees and proper enrolment as such.

Lakshminarain,
Chief Judge, Chief Court,
Manipur.

PART II

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

NOTIFICATIONS.

Imphal, the 27th Oct., 1949.

No. CC. 51/49/4—Subject :—Dissolution of the election tribunal.

In partial modification of the order dated the 21st October, 1949, it is hereby ordered that the dissolution of the Election Tribunal shall be operative from the afternoon of the 25th October, 1949, and that litigants' deposits shall be refunded.

Imphal, the 26th October, 1949.

NO. ACC. I-0226—In exercise of the powers conferred by the proviso under para 3 of the General Permit No. 1 issued by the Textile Commissioner of India and published in the Gazette of India dated 13th August 1949, Part 1, Sec. 1, I hereby notify for public information that until further orders, imports of all Textile goods into the territory of Manipur is prohibited with immediate effect, except with a permit issued under the signature of the First Assistant to the Chief Commissioner.

All outstanding permits hereinbefore issued shall hereafter be deemed cancelled and inoperative unless endorsed by the said First Assistant.

Provided that nothing in this Notification shall apply to the area known as Jiribam.

Amar Singh,
Major-General,
Chief Commissioner, Manipur.

ফিশারী নোটিশ—নং ১০৫

ইম্ফাল, তাং ২৬।১০।৪৯ ইং

NO. 409-TBL—অসিনা মরম ওইতুনা শ্রীল শ্রীযুক্ত ফার্ক এসিফেণ্ট টু চীফ কমিশনারগী (ফিশারী) ইকুম মখাদা পিরিবা পাংকী পাট্টাদারশিং ১মুং মণিপুরগী প্রজা পৃথনমজা থংহ্লি।

মরমদি:—মখাদা ইরিবা পাংশিং অসিগী পাট্টাদারশিংনা মতাং চানা মা মাগী থিকম থোকপা পাংশেলশিং অহু থিরদ্রে। মখোইনা তাং ৮।১১।৪৯ ইং লৈপাকপোকপা মুমিং ফাওবগী মমুংদা শুনা থিরদ্রেবদি তাং ৯।১১।৪৯ ইং (নোবেম্বরগী তাং মাপল) য়ুমশকৈশা মুমিংকী অম্বক পুং ১১ তাবদা লৌকংশং ফিশারী অফিশদা নিলাম লাওতুনা শোইদনা য়োল্লগনি। অহুগা অনৌবা নিলামদা ছনবা শেল্লা হাঙ্গগী পাট্টাদারশিংনা তোল্পহা পাংশেলশিং অহু য়োবা ওমদ্রেবদি মখোই মখোইনা থনহা জামিননচিংবা অহুম্ব ফেটকী হোনবী মতুংইল্লা নিলাম তোতুনা য়োল্লগনি। নিলামগী কারারদি:— নিলাম হেক ওকপগা পাংশেল নগদ ওইনা খুদক্কা থিদোক্কাবনি। মসিদা করিগুহা শুনা থিবা ওমদ্রেবদি খুদক অহুম্বক্কা অমুকহল্লা পাং অহু নিলাম লাওতুনা য়োনগনি। মতুদা হাঙ্গগী মমল অহু কংবা ওমদ্রেবদি অবাংপা শেল অহু হাঙ্গা নিলাম ওকলহা অহুনা কুপথংকদবনি। ইতি। তাং ২৬। ১০।৪৯ ইং।

ক্র: নং	পাং নং	পাং মমিং	ক্র: নং	পাং নং	পাং মমিং
১।	৮৮	য়াজোই।	১০।	১৬৪	খরুংপাং।
২।	১০১-১০৬	হুহুবিথোংনচিংবা।	১১।	১৬৬	পুমলেন।
৩।	১০৮	খাজা চিংলক।	১২।	১৯৩	লৌশিপাং।
৪।	১১১	কুস্থিকাংশোইবি।	১৩।	২১৫	অয়োং তুরেল অমনবী
৫।	১২৮	লৈতাংপাং।	১৪।	২২৫/২২৬	রাইথো সোইয়েল ১মুং ফুমনোম।
৬।	১৪৭	ফোগাকচাও ইতুপ।	১৫।	২২৯	মুগুকারোং।
৭।	১৫৫	নিংথিবাথোং।	১৬।		কারাম পাং।
৮।	১৫৭	মোইরাংশজোল।	১৭।	২৩১	উশোইপোকপি।
৯।	১৬০	ইকোপ।	১৮।	২৩৬	পোইরোপাং।

P. C. Deb,

Ist Asstt to C. C. (Fishery).

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Imphal, Wednesday, October 19, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY THE CHIEF COMMISSIONER

PART I

Order No. 38 P. of 1949.

In the light of Section 41 (b) and in exercise of the power conferred by section 41 of the Constitution Act, 1947 I, hereby, appoint Sree M. Radhamohon Singh, B. A. permanent Puisne Judge in Manipur State Court, with effect from the 5th October, 1949.

This order disposes of C. R. No. 10 of 1949.

Sd Bodh Chandra Singh,
Imphal, Maharaja of Manipur.
19th October, 1949.

Order No. 40 P. of 1949.

His Highness the Maharaja is pleased to grant leave to Sjt. R. K. Bhaskor Singh, Judge Chief, on average pay for 18 days with effect from the 11th October, 1949 to 29th October, 1949.

Imphal, 19th October, 1949. Sd. G.H. Singh,
Private Secretary
to H.H. the Maharaja
of Manipur.

Order No. 41 P. of 1949.

In consequence of the appointment of Sree M. Radhamohon Singh as a permanent Judge in the Chief Court, Manipur Sree S. Gourhari Singh has been con-

firmed to his present post as Private Secretary to H. H. and Sree M. Anandamohon Singh also to his present post as Aide-de-Camp to H. H. with effect from the date on which Sree M. Radhamohon Singh is appointed permanent Puisne Judge (i. e. the 5th October, 1949).

Palace Imphal, Sd. Bodh Chandra Singh,
The 11th Oct., 1949. Maharaja of Manipur.

PART II.

Council Resolution No. 9 of 5-10-49.

To reconsider C. R. No. 6 of 27-7-49, in the light of S. P.'s Memo No. 4218-CP. dt. 4-10-49, regarding sales tax on petrol and lubricants under Sale Tax Ordinance, 1949.

H. H. is requested to make, in exercise of powers conferred by section 31 of the Manipur State Constitution Act 1947, the following amendments to the Manipur State Sale Tax Ordinance 1949:—

Section 2—Delete full stop after “Manipur” and add the following:—

“except those on motor spirit and lubricants, and matches”.

Section III—

List No. 9—Delete “Motor spirit and lubricants”.

As the Ordinance will come into w. e. f. 8-10-49, action will be taken in anticipation of H. H.'s approval.

Approved by H. H. vide Memo No. 571 P. 1/49/50 dt. 11-10-49.

H. B. Singh,
Chief Secretary.

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EXTRAORDINARY

PUBLISHED BY AUTHORITY

Imphal, Saturday, October 15, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY THE CHIEF COMMISSIONER

Notification

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

No. 0001/C. C. of 15th October, 1949 (12 Noon).

MANIPUR ADMINISTRATION ORDER 1949 issued under Notification No. 219-P in the Gazette of India dated the 15th October, 1949, incorporates the provision that as from the 15th October, 1949, the Ministers of Manipur State shall cease to function and the legislature shall stand dissolved.

It is therefore hereby notified that with effect from midday of Saturday the 15th October, 1949, the aforesaid Ministers shall relinquish charge of the portfolios held by them and with immediate effect all the portfolios shall be taken over by the Chief Commissioner.

The legislature also as stated in the order shall stand dissolved with effect from midday of Saturday the 15th October, 1949.

Rawal Amar Singh,
Major General,
Chief Commissioner, Manipur.

The Manipur Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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Imphal, Sunday, October 16, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY THE CHIEF COMMISSIONER

Notification

OFFICE OF THE CHIEF COMMISSIONER, MANIPUR.

No. 0002/C. C. of 16th October, 1949.

In continuation of notification No. 0001/C. C. of 15th October, 1949, it is hereby ordered that the establishment which was hitherto designated as Council Office shall with immediate effect become, the Office of the Chief Commissioner, Manipur. The establishment of the Dewan's Office shall with immediate effect merge into the Chief Commissioner's Office.

As a temporary measure and until final administrative set up is decided upon, the Chief Commissioner will have the following assistants :—

Shri P. C. Deb—At present L. S. O. which charge he shall relinquish with immediate effect and be redesignated as First Assistant to the Chief Commissioner.

Shri H. B. Singh—At present Chief Secretary. He shall be redesignated as Second Assistant to the Chief Commissioner.

Shri T. Kalachand Singh—At present Home Secretary will be the Third Assistant to the Chief Commissioner.

The duties of Shri P. C. Deb, as L. S. O. will in future be performed by the L. R. O. for the time being.

The subjects to be dealt with by the Assistants to the Chief Commissioner will be as follows :—

First Assistant—Land Revenue, Fisheries, Agriculture, Veterinary, Commerce and Industry, Co-operatives, Forest, Resettlement operations, Jiribam, Paddy Committee, Local Self Government, Registration and Exoixe.

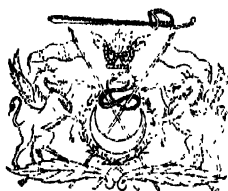
Second Assistant—Judiciary, P. W. D., Civil Police, Military Police, Medical, Jail, Education, Press, Water Works, Hydro-Electric and Transport Department.

Third Assistant—Accounts, Treasury, Claims Office, Taxation, Water Rates, Vehicle Tax, Pension and Gratuity.

Departments will in future address their correspondence to the Assistants to the Chief Commissioner in accordance with allocation given above.

Hill affairs for the time being will be put up by the Hill Office direct to the Chief Commissioner.

Rawal Amar Singh, Major General,
Chief Commissioner, Manipur.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, October 12, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Council Resolution No. 45 of 21-9-49.

consider E. M.'s Memo No. 2147 of 22-9-49, about Teachership examination. Primary teachers who are already in service and who have not passed through Teachership examinations will have to appear for examination to be held after attendance of course of lectures from S. I.'s trained for the purpose. The examinations will be held by the Education Department.

By order of H. H. in Council.

H. B. Singh,
Chief Secretary.

Council Resolution No. 1 of 7-9-49.

consider application filed by Mr. T. Singh, asking for the grant of per-

mission to open Air Service in Manipur under the name of "MANIPUR AIR TRANSPORT COY".

Permission is given for the period upto the last of March, 1950, which will also be the period of the permission granted to Messrs. United Traders. The permission will be subject to the conditions that rules in respect of landing fee, freights for goods and passengers etc. which are prevalent in the State and which may be passed from time to time must be adhered to.

Approved by H. H. vide Memo No. 410
P. 1/49-50 dated 15-9-1949.

H. B. Singh,
Chief Secretary.

PART III

IN THE ELECTION, TRIBUNAL, MANIPUR STATE.

ELECTION CASE No. 19 of 48-49.

Lungshi of Hundung.....Petitioner

Versus.

Thisan Luikham of Ukhrul..... Respondent :

JUDGMENT

Respondent appears with his counsel. Petitioner absent though he signed personal recognizance. One application under the signature of Lekho-yang praying for adjournment of the case on ground of petitioner's illness

is filed by one Pansi Tangkhul. There is no provision of law to accept this application as no authority was given by the petitioner to Lekho-yang and by the latter to Pansi Tangkhul to file the application. It is not verified nor supported by any medical certificate. So the application is not accepted. The respdt does not admit any of the charges or claim against him. So the case is dismissed.

Sd/ Th. K. Singh, Dt. 24.9.49.

Sd/ Mr. S. Shangyang, Dt. 24.9.49.

ELECTION CASE NO. 20,48-49

Konai Lam Senapati of Khoibu Village :

.....Plaintiff :

Vs :

Holpao Khulmi of Tengnaopal :

.....Respondent :

JUDGMENT :

Konai Lam Senapati of Khoibu Village :

.....Petitioner

Vs:

Holpao Khulmi of Tengnaopal :

.....Respondent

This election petition dated 1-9-48 was filed by Konai Lam Senapati hereinafter called the petr. against Holpao Khulmi hereinafter called the respondent on the allegation that (I) there was every assurance from the leading chiefs that the petr. should be elected, (II) a false notice was issued in the names of four chiefs announcing that the former scheme of giving votes in favour of the petr. was stopped and the votes should be given in the name of the respondent, etc.

The respdt. appeared on 26-11-48 and submitted his written statement. He was present on 4-12-48, 7-12-48 and 24-1-49 also. But he did not appear on 7-4-49 though summons was duly served nor did he turn up on subsequent dates. So we had no alternative but to proceed exparte and to decide the case on the evidence found on the record.

We have examined eight witnesses for the petr. and read the contents of the alleged notice which is exhibited as Ex. P/A. The notice contains misleading statements and threatening words. It is clearly proved that Ex. P/A is a false notice issued by the respdt's polling agent, Angba (P. W. 7).

In the circumstances the petitioner's case is prima-facie proved. So the election of the respdt is declared void. The Chief Minister will please arrange for bye election. Refund the deposit money to the petr. The respdt cannot stand as a candidate in the election for 3 years.

ANNOUNCED :

Sd/L. M. I. H. Singh, Dt. 7-6-49

Sd/Th. K. Singh, Dt. 7-6-49

Sd/S. Shangyang. Dt. 7-6-49

M. C. Roy
Secretary Election Tribunal.

PART IV.
ASSEMBLY PROCEEDINGS.
(Continued from State Gazette No.119)

attendance of the hon. members.

The Hon'ble the SPEAKER :- The Council has given two weeks time in all. Can Council give the required time?

The Hon'ble Sjt. IBOTOMCHA SINGH :- 22 days at the maximum, Sir.

The Hon'ble the SPEAKER :- It is an off-hand question. It is difficult for them. They may please give an answer at the next sitting. If there is no other hon. member to speak the Hon'ble Finance Minister may please introduce " Council".

INTRODUCTION OF " COUNCIL"

("Council" introduced by the Hon'ble Finance Minister).

The Hon'ble Sjt. IBOTOMCHA SINGH :- We have given Rs. 20/- allowance to each 3rd clerk and chaprundi.

The Hon'ble the SPEAKER :- Any hon. members to speak?

Sjt. ACHOW SINGH :- Sir, some amount of money has been provided for preparing Electoral Rolls. The reason may please be given.

The Hon'ble the SPEAKER :- Government to reply please.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Sir, in 1951 there will be a census for the whole of India. We also shall have to take a census. The present Electoral Roll was prepared very hastily. So mistakes occurred. We are to prepare it again. So this is provided.

Sjt. ACHOW SINGH :- Sir, last time census was done by franchise. Will the Electoral Roll be prepared anew? For census how many hands will be required for the roll? This information is necessary for the discussion.

The Hon'ble Dr. LEIREN SINGH :- Sir, census is done after every ten years. The State servants those who can be used without remuneration may be used. Those who are to be paid will be paid. Dominion Government will give some contribution.

The Hon'ble the SPEAKER :- Any other hon. members to speak? If there is none the Hon'ble Finance Minister may introduce " Palace Office" and " Home Department".

INTRODUCTION OF PALACE OFFICE AND HOME DEPARTMENT.

('Palace Office' and 'Home Department' introduced by the Hon'ble Finance Minister).

The Hon'ble the SPEAKER :- Any hon. members to speak?

Sjt. ACHOW SINGH :- Sir, what is meant by Rs.8000/- refund in Home Department? and when to be refunded? What is meant by the money expenditure? How much is it?

The Hon'ble the SPEAKER :- Government to reply.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Without Accountant I cannot say, Sir, I to ask for notice.

The Hon'ble the SPEAKER :- Please answer at 2 P.M.

Sjt. SHYAMO SINGH :- What is meant by the stationery provision in Home Department, Sir?

The Hon'ble Dr. LEIREN SINGH :- Sir, paper is controlled. When departments will be short of paper Home Department will procure paper and supply.

The Hon'ble IBOTO'CHA SINGH :- Sir, ponies are meant for polo. From the total we know the annual expenditure is Rs. 3015/-

Sjt. ACHOW SINGH :- On a point of information, Sir, Rs.10/- is given as appointment board allowance. How is the Appointment Board staff going on?

The Hon'ble Dr. LEIREN SINGH :- Sir, for doing the duties of the Appointment Board clerk a clerk of the Home Department is used at an allowance of Rs.10/- per month. The Appointment Board sits occasionally. So the work is not much. The present arrangement is good enough.

Sjt. ACHOW SINGH :- In India Public Service Commission is making appointments. How is the Appointment Board composed? Is it composed of Councilors?

The Hon'ble Capt. P.B. SINGH :- Sir, Appointments Board is composed of Hon'ble Chief Minister, Chief Judge, two Hon'ble Ministers in rotation. If it is not satisfactory any amendment may please be tabled.

The Hon'ble the SPEAKER :- If there are no more hon. members to speak the Hon'ble Finance Minister may introduce " Account Sec."

INTRODUCTION OF ACCOUNT SECTION.

(Account Section introduced by the Hon'ble Finance Minister).

The Hon'ble the SPEAKER :- Any hon. members to speak?

The Hon'ble Capt. P.B. SINGH :- Sir, His Highness the Maharajah has written to me so that all offices may be closed today at 1 P.M. on account of the death of his daughter M.K. Sanayama Devi.

The Hon'ble the SPEAKER :- Yes, right. The Assembly will cancel its afternoon sitting as a mark of mourning at the death of the princess. Any hon. member may move a condolence resolution.

The Hon'ble Dr. LEIREN SINGH :- I beg to move the condolence resolution, Sir.

The Hon'ble Sjt. GOURBIDHU SINGH :- I support it, Sir.

The Hon'ble the SPEAKER :- The resolution is as follows:-

" As soon as the sad news of the death of Maharajakumari, Sana Yaima Devi, the second daughter of His Highness the Maharajah of Manipur was received the Hon'ble Speaker announced that all the remaining business of the day of the 4th sitting of the Budget Session of the Manipur State Legislative Assembly should be suspended forthwith as a mark of respect to the departed soul of the princess; and the House unanimously resolved to place on record its deep sense of sorrow and offers it has felt condolences to His Highness and the royal family in their irreparable loss. God grant their Highnesses strength to bear their great grief.

ADJOURNMENT.

The Assembly adjourned till 10 P.M. on Thursday the 16th March, 1949.

L. TH. SINGH,
Secretary,
Legislative Assembly,
Manipur State.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, July 13, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Council Resolution No. 5 of 29-6-49.
To consider Chairman Pay Scale Committee, Memo No. 2067-GA. dt. 9-5-49, and
its Memo No. 2096-BA/Orgl. dt. 24-6-49 asking for sanction to the increase
earnings allowance from Rs. 15/- to Rs. 20/-
p. m. each from 1-6-49, (basic pay plus
A. must not exceed Rs. 45/- p. m.)

Sanctioned w. e. f. 1-6-49.

By order of H. H. in Council.

Council Resolution No. 24 of 29-6-49.

To Consider Rev. M. (Trib.) Memo
1824-Trib. dt. 21-6-49 forwarding report
Fishery Officer, asking that "POMBI-

KHOK " which is lying to the Noongoo bosti,
may be converted as a State fishery.

It be assented as a State fishery and
dispose of in favour of Sree Laisram Naran
Singh for the village of Noongoo at Rs. 50/-
for the current fishery year.

By order of H. H. in Council.

H. B. Singh,
Chief Secretary.

ORDER NO. 23. P. OF 1949

I do hereby prorogue the Budget Session
of the Manipur State Legislative Assembly
from the 5th day of July, 1949.

Sd. Bodh Chandra Singh,
Maharajah of Manipur.

PART III

HOME DEPARTMENT NOTIFICATION NO. 17/49/3285-SG dt. 4-7-49.

Publishers of News papers and periodicals.

As ordered by the Home Minister one copy of the News papers and
periodicals published in the State should be supplied to the Superintendent
of Police free of cost with immediate effect, exclusive of the copy which
is sent to the Home Minister.

Sd/Secretary, Home Dept.

শ্রীযুক্ত চিফ মিনিষ্টার হোম সম্পর্ক ত্রঃ সঃ বাজে ১৬ নং

নির্দেশনাবিঃ—

১। তিনিষ্টোম গন্ধারসিংহ

২। এ দুই অশেষ নিভোল তোমচাধেবী সাং হুংগৈ বস্তি।

তোমচানা অহানবদা গন্ধারসিংগা শাগৈ কাইনবদা গোত্রদি তিরবা নিভোম অমদা ওংহুনা মচা
পোত্রল্লা কোরা গন্ধারসিংহদা ওংবদগী ত্রঃ সঃ বাজে ১৬ নংদা মাখোই অনি খাইদোকনহুনা
প্রাইন্সিপ্ত ভোত্রবদি তিরবা যাদে নোটিশ ভোগদবনি হায়না ভোথিবা ব্যবস্থা মতুংইলা হোঁনবী ভৌবীনবা
পীজৈ। ইতি ২৬।৬।৪৯

শ্রীগোকুলানন্দশর্মা, বিভাবিনোদ।

REDUCTION TABLE.

Present Ration of opium eaters of 1948—1949.				Scale of annual 10% percent reduction.				Ration after reduc- tion of 10% for 1949—50.						
T	...	A	...	T	...	A	...	P	...	T	...	A	...	P
5	....		...	0	...	8	....	0	...	4	...	8	...	0
3	...		...	0	...	5	...	0	....	2	...	11	...	0
2	...	8	...	0	...	4	...	0	...	2	...	4	...	0
2	...	0	....	0	...	3	...	0	...	1	...	13	...	0
1	...	14	...	0	...	3	...	0	...	1	...	11	...	0
1	...	12	....	0	...	3	...	0	...	1	...	9	...	0
1	...	8	...	0	...	2	...	0	...	1	...	6	...	0
1	...	4	...	0	...	2	...	0	....	1	...	2	...	0
1	...	0	...	0	...	2	...	0	...	0	...	14	...	0
	....	12	...	0	...	1	....	0	...	0	...	11	...	0
	...	8	...	0	...	1	...	0	....	0	...	7	...	0

Opium should be supplied to the opium consumers from 1st July 1949 according to the above reduction table. Reduction of ration will be done by the Inspector excise himself. Before this no opium will be sold.

Inspector of Excise,
MANIPUR STATE.

খংহনজবা

১৩ জুলাই ১৯৪৯ ইং

মনিপুর স্টেট আইনসভাগী উৎলো কেন্দ্রগী মহৎ হাপচিবগী মীথল (বাই-ইলেকসন)

মনিপুর স্টেট আইনসভাগী উৎলো কেন্দ্রগী হান্না খনখিবা মেম্বর খ্রীহিজম ইয়াবভসিংহনা অককনবা মতব ফাওবদগী চেলা, আইনসভাদা রাওরদবা ময়মনা, উৎলো কেন্দ্রদা মকম অমা হাংলে অমসুং মীহৎ অমা অমুক ষাগৎলু হাইনা খংহলে। হাইরিবা কেন্দ্র অসিদা মখাদা পিরিবা কার্য-তালিকা অসিগী মতুংইয়া মহৎ হাপচিবগী মীথন ভৌনবা নোটিশ অসিদা ময়মন ওইহুনা খাই পুন্নমক্তা অমসুং মীহৎ লেম্নি লেম্নানংবলিদা খংহনজরি।

কার্যতালিকা

- (১) মীহৎ লানখৎপগী চেলাং পিখৎপগী অয়েইবা তারিখ ১।৮।৪৯ ইং
- (২) মীহৎ লানখৎপা চেলাং য়েংবা ... ২।৮।৪৯ ইং
- (৩) ভোট লৌবগী তারিখ ... ১৯।৯।৪৯ ইং

অমসুং

২০।৯।৪৯ ইং

- (৪) ভোট মশিং খীবা ... ২১।৯।৪৯ ইং

মীহৎ লানখৎপগী চেলাং (নোমিনেসন পেপারস) পুন্নমক মীহৎ লেপলিবা অহুনা মশামক নত্রগা মাগী ইলেকসন এজেন্টনা নোটিশ অসি ভৌবা মুমিতগী হৌনা মথক্তা পিরিবা অয়েইবা তারিখ ফাওবগী মনুংদা, ছুটি নতনা চয়োলগী মুমিৎ পুন্নমক্তা পুং ১১।০০ অমসুং ১৩।০০ (ইণ্ডিয়ান স্টেন্ডার্ড টাইম) গী মনুংদা স্টিটারনিং অফিসারদা পিখৎকদবনি অমসুং মীহৎ লানখৎপা চে (নোমিনেসন পেপার) গী কোরম স্টিটারনিং অফিস (লৌরুংখং অফিস ইফাল) দগী কংবিগনি।

মীহৎ লেম্নিরিবা খুদমশিং মখাদা পিরিবা খুদমশিং অসিগী মনুংদা অমথক খল্লগা মাহাকপু লানখৎপা চেদা পনবিগদবনি অমসুং মশাগী তশবির ইকি ৫×৫ দগী ছেদা চাওদবা অমসুং রাও-হনবিগদবনি।

খনগৎলবা খুদমশিংগী লিষ্ট।

- | | |
|------------------|---------------|
| (১) যুম | (২) শামু |
| (২) লালটেন পাওমৈ | (১০) মীগী খুং |
| (৩) একাগাড়ী | (১১) হি |
| (৪) শাভিন | (১২) উপাভি |
| (৫) য়োংখম | (১৩) খহাল |
| (৬) শল গাড়ী | (১৪) ভা |
| (৭) শগোল | (১৫) নোংমৈ |
| (৮) চফু | |

খ্রীপ্রমুদচন্দ্রসেব,
স্টিটারনিং অফিসার
লৌরুংখং অফিস, ইফাল।

PART IV. EMERGENCY MEETING.

PROCEEDINGS OF THE 24TH SITTING OF THE FIRST SESSION OF THE FIRST MANIPUR LEGISLATIVE ASSEMBLY ASSEMBLED UNDER THE PROVISIONS OF THE MANIPUR STATE CONSTITUTION ACT, 1947.

(Continued from Gazette of 6th July, 1949)

ardly, the hon. mover has said that the Council's action in having made the. . . presupposes the existence of two Election Tribunals in Manipur. This con- . . . is illogical. There is no question of there being two election tribunals. . . solely for trying the case of Sjt. D.M. Sarma VS Sjt. Pisak Singh that a . . . tribunal has been formed in supersession of the former. As regards the Chairman, . . . Election Tribunal's letter No.272/E.T. of 6.1.49 the Council has committed no irre- . . . in having regarded it as a resignation letter since he had written expre- . . . to the Council to that effect. A tribunal is again not a judicial body. This . . . argument motion is therefore wrong.

The Hon'ble the SPEAKER :- Any hon. members to speak?

The Hon'ble Dr. LEIREN SINGH :- Mr. Speaker, Sir, cases can be transferred from . . . tribunal to a other. Such as the practice in every part of the Dominion. The . . . will has treated rightly the Chairman's letter No. 272/E.T. of 6.1.49 as a . . . resignation letter as he (Chairman) has written to that effect clearly. Judges of . . . and members of tribunals may be changed from time to time. This is done . . . where. The Council constituted the Election Tribunal in accordance with the . . . and provisions made in that behalf. Any transfer of cases has been made in . . . conformity with the principles of the Civil Procedure Code. So the Council has done . . . thing unconstitutional. I fully support the Hon'ble Chief Minister.

Sjt. SOMORENDRA SINGH :- Mr. Speaker, Sir, what the Hon'ble Chief Minister and . . . ble P.W.D. Minister have said is beside the point. An aggrieved person should . . . even relief, no doubt. But in the present context Judicial relief is the appro- . . . relief. By aggrieved person here is meant a person aggrieved in the election . . . Tribunal is a court of justice and as such it can give judicial relief only. . . cannot give administrative relief. In other words the Council cannot exercise . . . cial functions by interfering with the Tribunal. The members of the tribunal . . . commissioners who are also trying judges. The Hon'ble Chief Minister said that . . . Hunter's Commission could not try the case of the agitators. This Commission . . . not a court and the Commissioners are not judges. They were sent simply to . . . investigate the matter and report to the authority. There were something like police . . . eers who go to investigate a case. Sir Asutosh left the court because the court . . . ed him to do so. The Governor also did not like him. The Executive is quite . . . rate from the Judiciary. If the Criminal Procedure Code is to be followed at all, . . . Judiciary should not be interfered with by the Executive. Under section 55(6) . . . of the Election Rules, the Comm . . . shall hear appeals against the order . . . the Returning Officer. The Commissioners . . . sit as Tribunal to hear election . . . tion etc. So I see no reason why the Tribunal should be interfered with by the . . . utive.

Sir, now comes the question of transfer. This is not the transfer of one depart- . . . to another. Such departmental transfers can be done by the Executive. But . . . aser of this kind cannot be done by the Executive. Such transfers should be done . . . the judiciary. The Council have interfered with the powers of the judiciary . . . which is quite unconstitutional.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Mr. Speaker, Sir, the Legislative Assembly . . . laws according to public opinion. The Executive is to execute these laws. . . cannot interfere with each other. Now comes the case of Sjt. D.M. Sarma and . . . Pisak Singh. Sjt. D.M. Sarma did not want Sjt. O. Thambal. So he applied to . . . Council. The Council considered his case and felt his request was reasonable. . . the transfer has been made. This was done by the Interim Council which had legis- . . . ve powers also. Sjt. D.M. Sarma applied because Sjt. Thambal had done something . . . g. The Council considers his representation to be reasonable. As Sjt. Thambal's . . . ence in the Tribunal was not desirable, Mr. Kathipri and Sjt. Bhaskar Singh had . . . try the case. We appointed one gentleman also from the Chief Court. As there is . . . relation between the Executive and the Judiciary that gentleman did not accept . . . appointment. The Chairman's letter No.272/E.T. of 6.1.49 has been treated as . . . resignation letter. Then we withdrew the three commissioners. In doing so the . . . cil has not interfered with the powers of the Judiciary. The Council has simply . . . its duty.

The Hon'ble Mr. TEBA KILONG :- Mr. Speaker, Sir, it is right that the Council . . . treated the Chairman's letter as a resignation letter. It is very good that the . . . cil has withdrawn the Commissioners. If they are not withdrawn they may do

sabotage in the Tribunal as they are recalcitrant members. We have reconstituted the Tribunal of three members.

Sjt. IBETOMBI SINGH :- Mr. Speaker, Sir, Government say that the Council is right while the opposition says that the Council is wrong. The matter under debate involves an important point of law. There is no legal expert among us. We do not have any legal adviser either. So we need not fight here. Section 57 of the Constitution Act, 1947 says -- "Where in any case circumstance arise which prevent the proper operation in law or in spirit of this Constitution Act, the Council may at their discretion refer the matter for decision to such authority outside the State as may be decided hereafter and the decision of that authority shall be binding." So we may get the matter decided by His Excellency the Governor of Assam or by Sir Rao. We may expect a clear legal ruling from them.

The Hon'ble Mr. MD. ALIMUDDIN :- Mr. Speaker, Sir, in transferring this case the Council are not wrong at all as they follow the principles of law. We need not refer the matter to higher authorities.....

Sjt. SOMORENDRA SINGH :- Will the Hon'ble Minister be pleased to produce the section of law under which the Council have done so.....

The Hon'ble the SPEAKER :- Please sit down. Hon. Members will please note that when a member wants to speak to another member he should do so through the Speaker. If there is no other hon. member to speak we shall now hear the concluding speech of the hon. mover.

Sjt. PISAK SINGH :- Mr. Speaker, Sir, the Council have made a mistake in passing their resolutions Nos. 38 of 17.11.48, 21 of 18.12.48 and 20 of 19.1.49. Under these resolutions the Council has dissolved the first tribunal and formed another in its place. This is quite unconstitutional. The Chairman's letter No. 272/E.T. of 6.1.49 has been regarded as the resignation letter because the resignation was dependent on certain conditions. Now we need not prolong the debate. We are not legal experts, the matter may be referred to a proper higher authority, for adjudication and interpretation.

The Hon'ble the SPEAKER :- We shall hear the concluding speech of the Hon'ble Chief Minister, now.

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, what we have done has been done according to law. If these proceedings of the Council are found undesirable laws authorising them to do so may be amended. But unless and until such laws are amended the Council is quite within its rights to do so. For cooking rice, for instance, we require rice, fuel, water, utensils etc. But these ingredients do not turn into food by themselves. A cook is required for the purpose. The Council is like a cook who prepares rice out of these different ingredients, the agency that gets the machinery of the State going. In other words unless and until otherwise provided by law, the Council is the proper authority to appoint and dismiss tribunals. The Chairman of the Tribunal wrote in such a manner that it could not but be regarded as a resignation letter, and accordingly it was regarded as the resignation letter. The Council is not wrong at all in doing so.

Sir, some hon. members have appealed that the matter be referred to a higher authority for decision. I see no reason why it should be decided by others. It can be decided here by the House. The Council has transferred this case quite rightly. It is their duty to do so. Otherwise the public might have protested. I request the hon. members to consider this point carefully.

The Hon'ble the SPEAKER :- Regarding the referring of this matter to the higher authority section 57 of the Act says -- "Where in any circumstances arise which prevent the proper operation in law or in spirit of this Constitution Act, the Council may at their discretion refer the matter for decision to such authority outside the State as may be decided hereafter and the decision of that authority shall be binding. So the Council may at their discretion refer it to a higher authority. I now put the matter to the House. (Votes are taken). I declare that the adjournment motion is negatived by 21 against 14.

The discussion of Mr. Damjakhai's adjournment motion will take place at 3 P. after recess.

AFTER RECESS. ADJOURNMENT MOTION Re (NEW CHURACHANDPUR TOWN).

The Hon'ble the SPEAKER :- Since the Hon'ble Minister i/c has got no objection to sending commissioners hon. mover may now suggest the names of the commissioners. Mr. DAMJAKHAI :- Mr. Speaker, Sir, they are Messrs. Damjakhai, Kakhangai and L. Thisan.

The Hon'ble the SPEAKER :- These three commissioners will go to New Churachandpur and will report to the Assembly. The hon. mover shall be the chairman of the committee.

Now we have finished almost all our business. The Assembly may be prorogued. I have written to His Highness the Maharaja in this behalf. In anticipation of His Highness's orders I hereby prorogue the Assembly from today. Any business which has been left over will be done at the next session. The Assembly then prorogued.
G. 94/13/7/49.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, October 5, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART I

OFFICE OF THE CHIEF MINISTER (HOME)
MANIPUR STATE, IMPHAL.

Appointment Board Meeting held on 17.9.49 & 24.9.49.

Resolution :—

1. To consider the appointment of Adhir Kumar Mukherjee, M. A. as a professor of Economics permanently on Rs. 150/- per month.

The appointment of Sree Adhirkumar Mukhapadyay as a professor of Economics as recommended by the Hon'ble Education Minister is approved. The appointment is subject to six months probationary period. The professor is to furnish references with regard to his antecedent.

2. To consider L. R. O's Memo No. 733L dt. 25.8.49 asking two temporary Amins of Imphal East Tahshil be made permanent.

Accepting the recommendation of the L. R. O. and his staff

Sjt. Th. Snajaoba Singh } are appointed Amins. Their previous service
Md. Abdurashid }
will count towards probationer probationary period. Council be requested to condone the over age of Sjt. Snajao Singh.

4. To consider Memo No. 102/12/MR. dt. 22.8.49 from Comdt. Manipur Rifles regarding the appointment of the following Ex. J. C. Os & N. C. Os as Jemadars with effect from the date against their names on probation of six months :—

- | | |
|--|----------------|
| (1) Satkhusei Kuki as Jemadar | w.e.f. 7.7.49. |
| (2) Dallu Pradhin as „ | „ 1.8.49. |
| (3) Konjengbam Birkumar Singh as Jemadar | „ 1.8.49. |
| (4) Amar Singh Chhetri as Jemadar | „ 1.8.49. |

As recommended by the Comdt. Manipur Rifles the following Ex. J. C. Os & N.C.Os are appointed as Jemadars on probation for the present for six months :—

- | | |
|--------------------------------|----------------|
| (1) Ex. Jemadar-Satkhusei Kuki | w.e.f. 7.7.49. |
|--------------------------------|----------------|

NOTIFICATION.

The 21st September, 1949.

**MANIPUR STATE ASSEMBLY
BYE-ELECTION OF UTLOW CONSTITUENCY, 1949.**

The counting of votes of Utlow Constituency bye-election was held on 21-9-49 with the following results :—

Name of candidate.	No. of valid votes polled.
Sjt. Khumukcham Kuber Singh ...	764
Sjt. Naosekpan Chandra Singh ...	571
Sjt. Samurailatpam Gopal Sarma ...	568
Sjt. Rajkumar Mani Singh ...	407
Sjt. Haobam Amuba Singh ...	77
Sjt. Mongjam Iboton Singh ...	26

Sjt. Khumukcham Kuber Singh having polled the highest number of valid votes was declared elected.

Sjt. Haobam Amuba Singh and Mongjam Iboton Singh having polled less than one-eighth of the total valid votes polled in the election, their security deposits are forfeited under Rule 17 of Manipur State Election Rules.

Sd/- P. C. Deb,
Returning Officer,
Utlow Constituency Bye-election.

নোটিশ—পি সি। ৪৯-৫০। এস কে

চেঙ্গী ডিলারশিংনা মখোইগী মথুতা চে শিত্তুনা য়ায়া পৈতুনা লৈরে হাইনা আপতি ভৌবদগী মনিপুরগী প্রজাশিংনা অমমুং স্কুলশিংনা মখাদা ইয়িবা মৎং অসি থংহলিঃ—

চেঙ্গী ডিলারশিংনা চে থুংলবগী রিপোর্ট হোম অফিসতা ভৌবদা হুমিত্তগী হুমিৎ ৪৫ (নিফুমতা) নি (অমুক হুকুম অমা ভৌরজিবা ফাওবা) মখোইগী মথুতা চে লৈগনি; মাসিগী মমুংনা চে লৈবিন্গশিংনা হোম অফিসদগী পার্মিট লৌবিগদবা মথে লৌবিহৌরো। অহুগী মফুংদদি পার্মিট য়াওনবু ওইরবন্ত য়াওনবু ওইরবন্ত ডিলারশিংনা মিলনা লেপা মমলগী মথুতা মথৌশাগী কমিসনদা (১০০০ হাপুনা) য়োনবা য়াগনি। হুকুম অসি ১লা অক্টোবর ৪৯দগী চংকনি; হায়গী ষ্টোকতি হায়গী নিয়মদা লৈগনি। ইতি

ইক্ষাল,
তাং ২১/৯/৪৯ ইং

Sd/ T. K. Singh, 21/9/49
Secy. Home Department for
Home Minister, Manipur State

Notice.

There was no issue of the State Gazette Dated 28-9-49 on account of the Durga Puza Holidays.

Dhananjoy Singh,
Offg. Supdt. State Press.

PART IV.

PROCEEDINGS OF THE 4TH SITTING OF THE SECOND SESSION (BUDGET SESSION) OF THE MANIPUR STATE LEGISLATIVE ASSEMBLY ASSEMBLED UNDER THE PROVISIONS OF THE MANIPUR STATE CONSTITUTION ACT, 1947.

The Assembly met in the Assembly in the Johnstone High School premises at 10 A.M. on the 14th June, 1949.

PRESENT :

The Hon'ble Mr. T.C. TIANKHAM, the SPEAKER in the Chair, the Hon'ble 6 Ministers and 25 Members.

The Hon'ble the SPEAKER :- Here is leave application of Sjt. Choujit Singh. I grant it granted if there is no objection.

SUB- ELECTION --- UTLOU CONSTITUENCY.

The Hon'ble the SPEAKER :- Here is a copy of the findings of the Election Tribunal in connection with Election Case No.20 of 1948/49 in which Mr. Kamailan is the petitioner and Mr. Holpao, the Respondent. I am reading this to the House. (He reads). I want to clear my position. As the law Court has declared the election of Mr. Kamailan to be void I am announcing the decision of the Election Tribunal. If Mr. Holpao here I would request him not to join our discussion from now on. (Mr. Holpao leaves the Chamber.)

MAO CONSTITUENCY.

Sjt. ACHOW SINGH :- Mr. Speaker, Sir, on a point of information will the Government be pleased to answer? Why has the election of the Mao Constituency not been held?

The Hon'ble Capt. P.B. SINGH :- I beg to ask for notice, Sir.

DUTY OF POLICE GUARDS.

Mr. TUALCHIN :- Mr. Speaker, Sir, the policemen on duty for the Assembly do not perform their duties. Most probably they have not been well-instructed. The number of policemen also is small.

The Hon'ble the SPEAKER :- Assembly Secretary will write to the S.P. in that line.

The Hon'ble Capt. P.B. SINGH :- Sir, there is no likelihood of any go-down in the Assembly. So it is not necessary to put up such matters in the Assembly.

GENERAL DISCUSSION OF THE BUDGET.

INTRODUCTION OF "EXPENDITURE"

The Hon'ble the SPEAKER :- The Hon'ble Finance Minister introduced "EXPENDITURE" on other day. Any hon. members to speak?

Sjt. ACHOW SINGH :- Mr. Speaker, Sir, before the discussion takes place I beg to ask something. When will the questions be taken up. If there is delay we may not get the answers.

THE HON'BLE THE SPEAKER :- They will not be declared to have lapsed. They will be taken up at the next sitting. Hon'ble questioners and Hon'ble Ministers will

take place. Hon'ble members may please speak.

Sgt. ACHOW SINGH :- Mr. Speaker, Sir, I am going to make healthy criticisms of the "Expenditure". I am not speaking for the sake of destructive argument. We do not expose destructive arguments from hon. members. The only thing which improves a State is finance. So we should see that we spend money properly for proper things. Taxes will be levied from the tax payers. So we will have to do good to the tax payers. We should spend for the poor, the rich, the towns, villages etc. Surplus budget does not necessarily mean a good budget, because surplus may be caused by oversight or negligence of some public interest. We all know the 5 years' plan of Russian. It should do good not only to the capitalists but to the poor also. They should be given proper medical facilities. They should be given chance of receiving education by establishing schools in all places of the villages and towns. We should improve the communications, Roads, bridges etc. should be constructed. For such nation building works we should spend properly. But such money has been provided for Administration. It is superfluous. I have seen several clerks in several departments doing nothing. It clearly shows that they have got nothing to do or they are unmindful of their duties. Then what is the need of keeping such idling clerks. We should dismiss them from their services. We should appoint only the required number of clerks and no more so that they can be paid reasonably. We may spend proper amount of money for the Hill Department, Forest Dept., Land Revenue Dept. etc. They are essential departments. They are fetching good income to the State. The Hon'ble Finance Minister has provided some non-recurring amount for the construction of the Secretariat, D.M. College building, completion of the Tamphasana School building etc. This is not objectionable. In Public Works Department we have provided much money. To save money in this department, for example, Manipur rivers should be properly drained instead of embanking them at every flood havoc. We should not improve the rich only to the exclusion of the poor. It is not good to carry coal to Newcastle. Regarding Medical Department we have asked some questions to the Government. We have only one hospital in the State. We should increase the number of hospitals. We should see the means of improvement. We should try to increase the number of doctors. We should give proper medical facilities to the public by establishing a good number of hospitals in the villages and towns. Only one hospital will never do. The Water Rate Department has been established. But we cannot get proper supply of water. The Government may please take action for proper and adequate supply of water. The public sanitation should be improved. Commerce and Industries Department should see to the development of industries. The supply Department has been taken by the State. They should supply C.I. Sheets to the suffering poor to construct their houses. The poor people lost their houses in the last world war. An income of Rs. 50,000/- from Commerce and Industries Department is doubtful. This department is going to realise income by taking much profit from the poor. This is not good.

The Hon'ble Dr. LITREN SINGH :- Mr. Speaker Sir, the hon. leader of the 3rd has said much. Most probably he thinks that the Government is not taking any for the improvement of the town, villages, the poor and the rich. For the improvement of communications the Government will very soon make Kangchup Road, Tiding Ukhrul Road, Shugnu Road etc. as the first class valley roads. The public think from the hon. member's speech that the Government is doing nothing. For dispensaries are established. The Government is going to improve the education, sanitation, communication etc. The hon. 3rd party leader has said that no hospital is kept in the village. Now let us put the Civil Hospital at Thoubal. A majority of people will not get medicine as Thoubal is not the centre.

The Hon'ble IBOTOMCHA SINGH :- Mr. Speaker, the Hon'ble P.W.D. Minister has said much. Hon. 3rd party leader also has said much. For the betterment of the economic position the Government is trying to form an Economic Committee. For the pay of the State Servants Pay Scale Committee has been set up. They are working early. Over the water supply scheme the Government are not sleeping. We have received from foreign experts three schemes for water supply. The first scheme costs Rs. 10 lakhs, the 2nd Rs. 22 lakhs and the third Rs. 24 lakhs. The Town Fund has got Rs. 10 thousand rupees only at its disposal. So they cannot take up any one of the schemes. Any way the Government is trying. We do not want to borrow money from the Government due to the then integration question. For the improvement of the Hill communication the Central Government has granted 25 lakhs of rupees. It has been said that the income from the Commerce and Industries Department is doubtful. The supply of goods will be controlled goods to the public. They will take proper commission on such transaction. This is the source from which the estimated income shown in the budget will accrue. The Textile Commissioner, Bombay fixes the rate of commission on such sales. Similarly the Council will fix such rates.

The Hon'ble the SPEAKER :- Any other hon. members to speak?

Sjt. ACHOW SINGH :- Sir, I have said something regarding the Commerce and Industries. My statement has been misunderstood. We support that the State will control essential supplies. But what we want is that the Government will be alert in distributing the C.I. sheets, cloths and yarns etc. to the public so that the poor public will be able to construct their houses and so that they may get yarn to weave cloths. It is good for the public and it is not a loss to the moneyed men also. It will improve the economic condition of the villagers also. Price control is very good. But Government should not take a good percentage so that it may not be a burden to poor consumers. The percentage of commission should be made low.

The Hon'ble the SPEAKER :- If there is no other hon. members to speak the Hon'ble Finance Minister may please continue the introduction.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Sir, if the income tax amendment is passed then we shall get some more income also.

INTRODUCTION OF "DEWAN'S OFFICE AND "ASSEMBLY".

("Dewan's Office" and "Assembly" introduced by the Hon'ble Finance Minister).

The Hon'ble Sjt. IBOTOMCHA SINGH :- Sir, I beg to table an amendment. Copies will be given to the hon. members at voting time.

The Hon'ble the SPEAKER :- Hon. members may please speak.

Mr. TUALCHIN :- Mr. Speaker, Sir, I have seen the pay of the Assembly Reporter is too low. He is paid only 75-5-100. In Assam Assembly a Reporter is paid 150-8-90 (EB) -10-240 (EB)- 12-350 plus a Compensatory Allowance of Rs. 25/- per month plus a Special Pay of Rs.5/- per sitting day. The present incumbent Mr. Sarma is the only one competent and trained Reporter in the State. I beg to propose the increase of his scale to at least 100-5-150.

The Hon'ble the SPEAKER :- The hon. member may table an amendment at least 3 days before the voting will take place. Any other hon. members to speak.

Sjt. ACHOW SINGH :- Sir, the Hon'ble Speaker has said that amendments for demands for grants may be tabled three days earlier. The time may be relaxed. The time for discussion and time for demands for grants may be fixed separately. That will be to be continued.)



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, September 21, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Proceedings.

Council Resolution No. 52 of 14-9-49.

To consider Finance Minister (Tax) of 14-9-49, asking for fixing a date which Sales Tax Ordinance 1949 will effect.

The Manipur Sales Tax Ordinance will be in force from 1-10-49. This be published in the State gazette at the earliest possible date.

By order of H. H. in Council.

H. B. Singh,
Chief Secretary.

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The S. O. will be the Land acquisition order in respect of Air field Land damages and other land damages in the non-field areas of Manipur.

By order of H. H. in Council.

H. B. Singh,
Chief Secretary.

The first meeting of the Judicial Council of the Manipur State held on Wednesday the 14th September, 1949, at 10-35 A. M. (I. S. T.) at the Palace Durbar Hall.

Present:— 1. His Highness the Maharaja of Manipur.

2. The Hon'ble Legal Remembrancer to His Highness the Maharaja of Manipur.

3. Hon'ble W. Chaoba Singh, a member of the Judicial Council

His Highness took the chair.

The Hon'ble Legal Remembrancer chanted Vedic Hymns.

His Highness delivered the inauguration speech.

Resolved:—

1. That the Judicial Council of the Manipur State is formed to transact the following business.

(1) To assist H. H. in disposing of Civil and Criminal Appeals under Section 18 of the Manipur State Courts Act.

(2) To advise H. H. generally on all questions of law and justice when sought for.

if he were of full age and sound mind and if he were conducting the business himself; and all the provisions of this ordinance shall apply accordingly.

14. Where the business carried on by a firm or an association of persons, other than a company as defined in the Indian companies Act, 1913, and in respect of which tax is payable under this Ordinance is discontinued or the association of persons is dissolved, the tax shall be levied upon and recovered from, jointly and severally, every person who at the time of such discontinuance or dissolution was a partner of such firm or member of such association; and all the provisions of this Ordinance shall apply accordingly.

15. Arrears of sales tax shall be recoverable as arrear of land revenue.

16. (1) Whoever makes a statement in a verification or declaration in connection with any proceedings under this Ordinance which is false, and which he either knows or believes to be false, or does not believe to be true, shall, on conviction before a Magistrate, be punishable with simple imprisonment which may extend to six months or with fine which may extend to one thousand rupees, or with both.

(2) No court shall take cognizance of any offence under this Ordinance or under the rules made thereunder except with the previous sanction of the Finance Minister, and no Court inferior to that of a Magistrate of the first class shall try any such offence. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under the Ordinance shall be cognizable and bailable.

(3) The Finance Minister shall, for the purposes of this Ordinance have the same powers as are vested in a Court under the code of civil procedure, 1908, when trying a suit, in respect of the following matters:—

(i) Enforcing the attendance of any person and examining him on oath or affirmation;

(ii) Compelling the production of documents;

(iii) Issuing commissions for the examination of witnesses and any such proceeding before the Finance Minister shall be deemed to be a "judicial proceeding" within the meaning of sections 193 and 228 and for the purposes of section 196 of Indian Penal Code, 1860.

17. Appeal against the order of Finance Minister determining the amount of tax payable or orders regarding the recovery of the tax, shall lie to the Taxation Tribunal within fifteen days of the date of communication of the order.

18. No case shall lie in a court against any officer of Manipur Government for what he has done in good faith under this Ordinance.

19. The Council may, subject to the condition of previous publication, make rules for carrying out the purposes of this Ordinance.

Statement of objects and reasons.

At present no sales tax is imposed on any goods coming into Manipur except cigarettes and biris. The rate of tax is also unreasonably high in comparison with that prevalent in other places of India Govt.

To remove these defects and to bring in a uniform law according to the declared policy of India, a legislation on the lines as laid down in the Ordinance has now become necessary. The aim of the Ordinance is to make an addition to the revenue of Manipur and at the same time to discourage the import of goods into Manipur as far as possible.

Sd/- I. B. Singh,
Minister-in-Charge.

MANIPUR SALE TAX ORDINANCE — 1949.

SCHEDULE—I.

- | | |
|---------------------------|---------------------------|
| 1. Motor Vehicles | } Nine pies in the rupee. |
| 2. Motor Bicycles | |
| 3. Wireless Sets | |
| 4. Bicycles | |
| 5. Radios and Gramophones | |
| 6. Dry cells | |
| 7. Cigarettes and Biris | |

SCHEDULE— II.

Goods other than those in Schedule I above excepting those in Schedule III below Six pies in the rupee.

SCHEDULE— III.

1. Pulses
2. Books and newspapers
3. Betelnuts
4. Cotton yarn
5. Fish and Ghee (but not vegetable ghee)
6. Atta and Moida
7. Gur, Sugar and Molasses
8. Tobacco leaves
9. Kerosine, Motor spirit and lubricants
10. Matches
11. Medicines
12. Mustard Oil
13. Mustard seed
14. Sago
15. Salt

PART III

NOTICE.

Applications are invited for the post of one permanent Head master of Bongpa U. P. School on the scale of Rs. 40/- p. m.

Preference will be given to Matriculates of the Manipur State, Hill.

C. O. Phaisat.

৩৪ শ্রুবা ইণ্টারন্যাশনেল মোটর একজিবিশনগী মরীদা প্রেস নোট।

৩৪ শ্রুবা ইণ্টারন্যাশনেল মোটর একজিবিশন ১৯৪৯ ইংলী সেন্তেম্বর থাগী তাং ২৮ দগী অক্টোবর থাগী তাং ৮ ফাগুবা আল'স কোট, লণ্ডনদা ভৌগদৌরি। মোটর ইন্দুস্ত্রীগী একজিবিশন অসি মীনা য়ামনা পামট। লাল মমাং চহি মমাং গড়দা মী ২,৩৫,০০০ য়াওরৈ। অছুগা লাল মতুংদা ভৌখিবা আহানদা একজিবিশন অতুদদি মী ৫৬২ ৯৫৪ য়াওরৈ। হন্দক ভৌগদৌরিবা একজিবিশন অসিনা মমাংগৈডদা ভৌখিবা একজিবিশনদগী হেন্দোকপা অমদি—লাকদৌরিবা চহিদা ফোংগদৌরিবা অমমুং হামন্ত থর ফোংথবা অতুগুয়া অনৌ অনৌবা মডেলগী কার (car) পুথোকদৌরি। পৃথীবিদা মমিং চংলবা ফার্মাশানা (Firms) মানা মান' চঙখোয়া হৈরবা গাড়ী-মশা উৎকদৌরি। একজিবিশন অসিনা অতোয়া সেক্সন অমদনা কারাভাল, লাইট ট্রেইলয়স, মোটর বোট (Motor boats) মেরিন ইঞ্জিন, টায়ার অমমুং ট্রান্সপোর্ট সার্ভিসকা পোংচংশিংসু উৎকদৌরি। এক্সপোর্ট ট্রেডকা মরমদমু একজিবি-
শন অসিনা য়েংশিনগদৌরি। পৃথবীগী মকন পুস্তমকুগী পোং লৈবা মী লাকদৌরি। মথোইবু ওক-
নবগীদমক নিংখিনা বন্দোবস্ত হৌরি। সিজন টিকেট, ক্যাটেলোগ, দো-ভাৰ্গিগী থবক, অফিস, পোখাকমনচিংবা চার্জ লোদনা (ফ্রিডা) কংবিগনি।

কনাকুয়া একজিবিশন অসি য়াওবিনিংবা লৈরবদি মসিগী মরমদা Exhibition Manager. The Society of Motor Manufacturers and Traders, Ltd., 148 Piccadilly, London, W. I
গা পাও চংনবিরবদি মথকী খুদোংচাবাশিং অসি কংবিগনি।

Sd. R. K. Sanahal Singh,
Publicity Officer, Manipur State.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, September 21, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Civil Resolution No. 52 of 14-9-49.

consider Finance Minister (Tax) of 14-9-49, asking for fixing a date at which Sales Tax Ordinance 1949 will take effect.

Manipur Sales Tax Ordinance will come into force from 1-10-49. This be published in the State gazette at the earliest possible date.

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H. B. Singh,
Chief Secretary.

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The S. O. will be the Land acquisition order in respect of Air field Land damages and other land damages in the non-irrigated areas of Manipur.

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H. B. Singh,
Chief Secretary.

Proceedings.

The first meeting of the Judicial Council of the Manipur State held on Wednesday the 14th September, 1949, at 10-35 A. M. (I. S. T.) at the Palace Durbar Hall.

Present:—1. His Highness the Maharaja of Manipur.

2. The Hon'ble Legal Remembrancer to His Highness the Maharaja of Manipur.

3. Hon'ble W. Chaoba Singh, a member of the Judicial Council

His Highness took the chair.

The Hon'ble Legal Remembrancer chanted Vedic Hymns.

His Highness delivered the inauguration speech.

Resolved:—

1. That the Judicial Council of the Manipur State is formed to transact the following business.

(1) To assist H. H. in disposing of Civil and Criminal Appeals under Section 18 of the Manipur State Courts Act.

(2) To advise H. H. generally on all questions of law and justice when sought for.

II. That the Hon'ble Legal Remembrancer be made the President and the Hon'ble Home Minister be made the Vice-President until further orders and two shall form the quorum.

III. That the Rules for bail granting interim bail and the Rules for 'Stay' granting interim 'Stay' issued by H. H. before the formation of the Judicial Council be approved of.

IV. That notice containing date, time and space and the list of cases to be heard on that date with copies of records there-

of be served on each member of the Council at least three days before the meeting. A copy of the notice be submitted to H. H. With a vote of thanks to the meeting terminated at 11-15 A. (I. S. T).

Sd/ B. Chandra Singh
Maharaja of Manipur

Sd/ K. C. Chakrabarti
Legal Remembrancer.

Sd/ W. C. Singh,
Judicial Member, 14-9-49

Council Resolution No.6 of 27-7-49

6. To consider Finance M's Memo No. 134-FT/V-II dt. 23-7-49, forwarding Manipur State sale tax Ordinance, 1949 for approval.

H. H. is requested to promulgate in exercise of powers conferred under Sec. 31 of the constitution Act of Manipur 1947, the following Ordinance :—

M. S. sale tax Ordinance, 1949.

H. H.'s comments vide Memo No. 255 P. 1/49/50 dt. 12th Aug., '49 :-

C. R. No. 6 :- The ordinance is approved but before it is put into operation I would like to see a scheme for successful checking drawn up since it will entail harder responsibilities upon and increase the checking operations.

Schedule III in the Ordinance also should be provided with regulated rates as other schedules.

Please expedite.

Council Resolution No. 7 of 20-8-49.

To reconsider C. R. No. 6 of 27-7-49, in the light of H. H.'s Memo No. 255 P. 1/49/50 dt. 12-8-49, regarding Manipur State sale tax Ordinance 1949.

As for checking it is up to the Police to organize an effective check.

Schedule III is an exemption list.

Approved by H. H. vide Memo No. 333 P. 1/49/50 dt. 29-8-49.

H. B. Singh,
Chief Secretary.

THE MANIPUR STATE SALE TAX ORDINANCE, 1949.

Whereas it is expedient to impose a tax on sale of certain goods to make an addition to the revenues of Manipur, and as the Manipur State Legislative Assembly is not sitting now the Maharajah in Council in pursuance of the powers conferred under Sec. 31 of the Manipur State Constitution Act promulgate the following emergent order as an Ordinance:—

1. This Ordinance may be called the Manipur State Sale Tax Ordinance, 1949.

2. It extends to the whole of Manipur and supersedes all previous laws on sales tax in Manipur.

3. It shall come into force on such date as the Manipur Government by notification in the Gazette, appoint.

4. The tax shall be levied on goods specified in the annexed Schedule at the rates noted against them.

5. "Sales" with all its grammatical variations and cognate expressions means any transfer of property in goods by any person for cash or deferred payment or other valuable consideration, and includes a transfer of property in goods involved in the execution of a contract. It also includes a transfer of goods on the hire-purchase or other instalment system of payment, notwithstanding the fact that the vendor may retain the title in the goods as a security for payment of the price.

6. The tax shall be payable in advance before the goods enter Manipur which is the easiest and most effective method for collection.

7. The tax shall be exempted on these goods if imported for purposes of Manipur Government.

8. The Finance Minister in Taxation Office shall be in Charge of collection of the Tax.

9. The importers of these goods shall declare the value of the goods to be imported and obtain an import permit on payment of the tax to the Taxation Office. The Finance Minister on satisfaction of the declaration which should be supported by the Bijak of suppliers or in the absence of such Bijak, according to the market rates prevailing then in Imphal, shall determine the amount of the tax payable.

10. If the Finance Minister, in the course of any proceeding under this Ordinance, is satisfied that any one :—

- (a) has, without reasonable cause, failed to furnish the declaration which he was required to furnish under Section 9 or
- (b) has concealed the particulars or deliberately furnished inaccurate particulars or
- (c) has evaded in any way the liability to pay tax, he may direct that such person shall pay by way of penalty, in addition to the tax payable by him, a sum not exceeding one and a half times that amount.

11. Where a person dies after assessment but before payment of the tax, his executor, administrator or other legal representative shall be liable to pay, out of the estate of the deceased to the extent to which it is capable of meeting the charge, the tax assessed as payable by such person.

12. When the ownership of the business of person is entirely transferred, the liability to pay any tax payable in respect of such business and remaining unpaid at the time of the transfer shall be jointly and severally on the transferor or the transferee.

13. Where the business in respect of which tax is payable under this Ordinance is carried on by, or is in charge of, any guardian, trustee or agent of a minor or other incapacitated person on behalf of, and for the benefit of such minor or other incapacitated person, the tax shall be levied upon and recoverable from such guardian, trustee or agent, as the case may be, in like manner and to the same extent as it would be leviable upon and recoverable from any such minor or other incapacitated person,

if he were of full age and sound mind and if he were conducting the business himself; and all the provisions of this ordinance shall apply accordingly.

14. Where the business carried on by a firm or an association of persons, other than a company as defined in the Indian companies Act, 1913, and in respect of which tax is payable under this Ordinance is discontinued or the association of persons is dissolved, the tax shall be levied upon and recovered from, jointly and severally, every person who at the time of such discontinuance or dissolution was a partner of such firm or member of such association; and all the provisions of this Ordinance shall apply accordingly.

15. Arrears of sales tax shall be recoverable as arrear of land revenue.

16. (1) Whoever makes a statement in a verification or declaration in connection with any proceedings under this Ordinance which is false, and which he either knows or believes to be false, or does not believe to be true, shall, on conviction before a Magistrate, be punishable with simple imprisonment which may extend to six months or with fine which may extend to one thousand rupees, or with both.

(2) No court shall take cognizance of any offence under this Ordinance or under the rules made thereunder except with the previous sanction of the Finance Minister, and no Court inferior to that of a Magistrate of the first class shall try any such offence. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under the Ordinance shall be cognizable and bailable.

(3) The Finance Minister shall, for the purposes of this Ordinance have the same powers as are vested in a Court under the code of civil procedure, 1908, when trying a suit, in respect of the following matters:—

- (i) Enforcing the attendance of any person and examining him on oath or affirmation;
- (ii) Compelling the production of documents;
- (iii) Issuing commissions for the examination of witnesses and any such proceeding before the Finance Minister shall be deemed to be a "judicial proceeding" within the meaning of sections 193 and 228 and for the purposes of section 196 of Indian Penal Code, 1860.

17. Appeal against the order of Finance Minister determining the amount of tax payable or orders regarding the recovery of the tax, shall lie to the Taxation Tribunal within fifteen days of the date of communication of the order.

18. No case shall lie in a court against any officer of Manipur Government for what he has done in good faith under this Ordinance.

19. The Council may, subject to the condition of previous publication, make rules for carrying out the purposes of this Ordinance.

Statement of objects and reasons.

At present no sales tax is imposed on any goods coming into Manipur except cigarettes and biris. The rate of tax is also unreasonably high in comparison with that prevalent in other places of India Govt.

To remove these defects and to bring in a uniform law according to the declared policy of India, a legislation on the lines as laid down in the Ordinance has now become necessary. The aim of the Ordinance is to make an addition to the revenue of Manipur and at the same time to discourage the import of goods into Manipur as far as possible.

Sd/- I. B. Singh,
Minister-in-Charge.

MANIPUR SALE TAX ORDINANCE — 1949.

SCHEDULE—I.

1. Motor Vehicles	} Nine pies in the rupee.
2. Motor Bicycles	
3. Wireless Sets	
4. Bicycles	
5. Radios and Gramophones	
6. Dry cells	
7. Cigarettes and Biris	

SCHEDULE—II.

Goods other than those in Schedule I above excepting those in Schedule III below Six pies in the rupee.

SCHEDULE—III.

1. Pulses
2. Books and newspapers
3. Betelnuts
4. Cotton yarn
5. Fish and Ghee (but not vegetable ghee)
6. Atta and Moida
7. Gur, Sugar and Molasses
8. Tobacco leaves
9. Kerosine, Motor spirit and lubricants
10. Matches
11. Medicines
12. Mustard Oil
13. Mustard seed
14. Sago
15. Salt

PART III

NOTICE.

Applications are invited for the post of one permanent Head master of Bongpa U. P. School on the scale of Rs. 40/- p. m.

Preference will be given to Matriculates of the Manipur State, Hill.

C. O. Phaisat.

৩৪ শুবাই ইণ্টারন্যাশনেল মোটর একজিবিশনগী ময়ীদা প্রেস নোট।

৩৪ শুবাই ইণ্টারন্যাশনেল মোটর একজিবিশন ১৯৫৯ ইংগী সেপ্তেম্বর থাগী ওং ২৮ দগী অক্টোবর থাগী ওং ৮ ফাগুবা আল'স কোর্ট, লণ্ডনদা ভোগদোরি। মোটর ইন্দুগী একজিবিশন অসি মীনা যামনা পামট, লাল মমাং চহি মঙাদ গড়ন মী ২,৩৫,০০০ যাওরৈ। অহুগা লাল মতুংদ' তৌখিবা অহানবা একজিবিশন অহুদদি মী ৫৬২ ৯৫৪ যাওরৈ। হন্দক ভোগদোরিবা একজিবিশন অসিনা মমাংগুদা তৌখিবা একজিবিশনদগী হেন্দোকপা অমদি—লাকদোরিবা চহিদা ফাংগদোরিবা অমসুং হ'মন্ত থর ফাংথুবা অহুগুহা অনৌ অনৌবা মডেলগী কার (car) পুথোকদোরি। পৃথীবিদা মমি' চংদবা ফার্মাশনা (Firms) মানা মান' চঙখোয়া হৈরবা গাড়া-মশা উৎকদোরি। একজিবিশন অসিনা অতোয়া লেজুন অমদনা কারাভাল, লাইট ট্রেইলরস, মোটর বোট (Motor boats) মেরিন ইঞ্জিন, টায়ার অমসুং ট্রান্সপোর্ট সার্ভিসকা পোৎচংশিসু উৎকদোরি। এক্সপোর্ট ট্রেডকা মরমদসু একজিবি-
শন অসিনা য়েংশিনগদোরি। পৃথবাগী মফম পুন্নমন্তগী পোৎ লৈবা মা লাকদোরি। মথোইবু ওক-
নবগীদমক নিখিনা বন্দোবস্ত হোরি। সিজন টিকেট, কাটেলোগ, দা-ভাখিগী থবক, অফিস
পোখাফমনচিংবা চার্জ লোদনা (ফ্রিডা) ফংবিগনি।

কনাগুহা একজিবিশন অসি যাওবিংবা লৈরবদি মসিগী মরমদা Exhibition Manager, The Society of Motor Manufacturers and Traders, Ltd., 148 Piccadilly, London, W. I
গা পাও চংনবিরবদি মথকী খুদোংচাখাং অসি ফংবিগনি।

Sd. R. K. Sanahal Singh,
Publicity Officer, Manipur State

The Manipur



State Gazette

EXTRAORDINARY

PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

7-E14

Imphal, Friday, September 16, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

IN THE HIGH COURT OF JUDICATURE
AT DISCRETION OF THE COURT 1948-49.

1. Pukhrambam Atoyaima Singh of Chajing Plaintiff

V.S.

1. Mahamad Alimuddin of Lilong Haoreibi
2. Arambam Kala Singh of Chajing Mairengkong

Respondents.

JUDGEMENT

1. Pukhrambam Atoyaima Singh Petitioner.

V.S.

1. Mahamad Alimuddin
2. Arambam Kala Singh

The Respondents.

This petition was filed by the petitioner Pukhrambam Atoyaima Singh herein after called the petr against (1) Mahamad Alimuddin herein after called the respdt 1 and (2) Arambam Kala Singh herein after called the respdt 2. on the ground inter alia that the white ballot papers were meant for the general Seat, that the following persons polled the votes written against their names :-

1. Alimuddin	General 280 invalid Muslim 1192 valid
2. Arambam Kala Singh	General 1088 valid Muslim 108 invalid
3. Pukhrambam Atoyaima Singh	General 1068 valid Muslim 137 invalid

that the Returning Officer declared that the respdt 2 as elected saying that he got the highest number of votes from amongst candidates for the General Seats although he got valid votes for the Mahamadan Seat only, as a matter of fact the respdt 2 got only 280 general votes (to support this he cited rule No. 2 (iv) of the rules of the guidance of Presiding and Polling Officers for the Manipur State Assembly Election) and that the respdt No. 2 was bankrupt and committed corrupt practice.

His prayers are

- (1) The election of the respdt be declared void.
- (2) The respdt No. 2 be declared disqualified. (3) He be declared duly Elected member.

The respdt No. 2 is merely a pro forma respdt, the Election petition filed against the elected candidate who is the principal respdt. So we do not think it worthwhile to go into detail in respect of the allegation made against the respdt 2. One can file a petition against him if and when he be declared elected. So the only point for consideration is the allegation against the principal respdt. The allegation against the respdt is simple. So it may be heard shortly as an appeal against the orders of the Returning Officer as empowered by the 1st sentence of 55 (6) (a) of Manipur State Election Rule, 1948.

The respdt No. 1 stated in his written statement inter alia that "So long as the precedent of the Election appeal No. 4 of 1947-48 of this very Election Tribunal of Manipur State prevails the respdt No. 1's right of nomination as a candidate of being returned as elected to the general seat of the Lilong Constituency No. 1 not be agitated at all, because of the community to which he may personally, belong."

The resolution of the Court having only limited powers as conferred by the petr on the Court. The Court is bound by the fundamental provision of the Manipur State Election Rules, 1948, and the Constitution Act, 1947. This petition was filed on 19-7-48, but the Court did not take any action as per order 23-9-48. When the commissioners came to this Tribunal they first met the parties on 24-8-48 and the application to withdraw the Petr's withdrawal petition and fixed 12.4.49 for the preliminary hearing directing the parties to be present on this day. On 12.4.49 the case was adjourned at the request of the petr's pleader with cost to Rs. 4. On this day the parties were present with their respective counsels. The learned counsel of the petr argued as follows:-

minutes of a meeting of the Franchise Committee held on 8/12.47 which runs as follows :- "The whole valley will be divided into 29 constituencies out of which in the three constituencies where there are numerous Mahemadans there will be plural voting i.e. one voter will have two votes one for the Mahemadan and the other for the Non-Mahemadan....." Lilong is one of them from which a Mahemadan and another Non-Mahemadan must be returned but the Returning Officer ordered two Mahemadans to be duly elected which was a gross miscarriage of justice quite contrary to the Express Provision of the M.S. Election Rule. As the number of votes alleged to have been polled by the candidates which are given in para 1 (b) of the plaint of the petitioner was not contradicted or denied or suggested to be denied and the respondent No. 2 Kala Singh was taken as a pro respdt., we decided to hear this case primarily as an appeal against the order of the Returning Officer. The case was adjourned till 5.5.49. On this date neither the petitioner nor the pleader was present in this court. The respondents and their counsel were present. The learned counsel of the respondent argued that according to rule No.17 (i) of the order No. 41, C.P.C. the case must be dismissed the rule as it runs:- "Where on the day fixed, or on any other day to which a hearing may be adjourned, the applicant does not appear when the appeal be dismissed." Although the language of the rule does not appear to be mandatory rule, it is to be interpreted in the light of rule 8 of the order No.9 the reason for such wording was merely to show respect to the appellate court for this reasoning and interpreting this rule the learned counsel does not produce any authority. So we cannot accept his interpretation. The rule as a matter of fact gives the court a discretionary power. The word "may" is placed to make it clear that no appeal lies from the order of dismissal for default i.e. to say that the appellate court can decide the appeal according to its discretion if it (the Appellate Court) sees gross miscarriage of justice committed by the Trial Court although the applicant does not appear. The Allahabad High Court has held that the Appellate Court is not debarred from deciding the appeal on merits in *Chimanlal V.S. Syed Zahur* (1938) All. 814.

But we think that the proper rule applicable in this occasion is not this but it is rule No.2 of the order 17, C.P.C. which runs as "Where on any day to which the hearing of the suit is adjourned, the parties or any of them fail to appear the court may proceed to dispose of the suit in one of the modes directed by that behalf by order IX or make such other order as it thinks fit." The Bombay High Court has held that where a plaintiff has made case which, if uncontradicted, would entitle him to a decree but does not appear at an adjourned hearing, the court should not dismiss the suit under this rule and O. 9 r 8, but should decide the case on the merits." The Calcutta High Court held that if there is material before the court it should proceed under r.3 of the order 17 but if there is no material before the court it should proceed under 17, r 2. In view of the uncontradicted facts and admitted facts on the records and in view of the rulings of the High Courts cited above especially of the Bombay High Court, we decided to dispose of the case on its merits. We asked the respondent and his counsel to argue in reply of the argument advanced by the petitioner but either the respondent or his counsel hesitated and did not venture to do it. The counsel asked time for a reply. In order to give the respondent last chance for the sake of fair trial. We adjourned the case to 14.5.49 asking the respondent to show cause why his election should not be declared void.

In the mean time an incident occurred which we are bound to add in this judgment as the respondent pleaded openly in the open court to stay the hearing of the case on account of the Chief Minister's staying orders a copy of which he received and showed. It is this :- The Chief Minister in his letter No.11488-9(C) dated 11.5.49 wrote "Mr. Md. Alimuddin of Lilong Haoreibi has applied to me for staying the council to transfer his case to another Tribunal. I have the honour to request you to kindly stay the case. I have not been able to include his petition in the agenda of the Council." The tribunal considered the letter very seriously and as it came from the highest Executive Officer of the State. But we could not find any law according to which this court could obey his orders, so we replied as follows :- "It is resolved the following be replied :- there is no express provision of law within the knowledge of the Tribunal in or outside the State that a party in an Election case can file an application to the Council requesting transferring his case to another Tribunal while the case is being heard. We do not think that there is any law giving inherent power to the Council to exercise interference in Judicial routine.

The Hon'ble Chief Minister has not kindly cited any law to support his letter. Tribunal being the court of law cannot proceed, we are afraid, without law. We are not prepared to stay the proceeding on account of the letter. For the same reason we are extremely sorry that we cannot do so even for courtesy's sake." As we could not obey the orders or comply with his request, we made an polite apology saying 'for the same reason for the courtesy's sake' which was in the sense of " **তথ্য দ্বারা বলা যায় যে কানুন বাহাদুর ডেপুটি উমদাদার**

যাযাবর হাদে।

according to the Manipur Etiquette. In spite of the knowledge of the above orders of the Tribunal on the letter the respdt insisted on the court to stay the proceeding to that orders of the Chief Minister. We were ready to adjourn the Case at the request of his counsel that he was not prepared thinking that the proceeding would be stayed on that account. But the Hon'ble Minister Uddin the respdt overruled and hushed up his counsel saying " I am not praying the Court for adjournment for any other ground although the Court offers." As for the question whether the Executive could interfere in the Judicial proceedings or not we should be satisfied by quoting what was observed by Sir C.N. Agarwalla, Chief Justice of the Patna High Court, in delivering judgement of the Full Bench consisting of the Chief Justice himself and Justice S.K. Das, J.K. Narain which runs as follows :- " Neither the Prime Minister nor any other Minister has any authority to stay proceedings pending in a Court and to call for records of the Case for perusal..... The fact that such prayer could be put in a petition to the Prime Minister drafted by a Lawyer shows how widespread the belief has become that Minister can interfere in the Judicial proceeding by issuing stay orders and calling for Judicial records..... It requires, therefore, to be stated now most emphatically that no Executive Officer or authority has any power to issue a fiat staying a proceeding in a Court of Law or to require a Court to hand over its Judicial records. We want to quote from A.I.R. " It is a cardinal principle that when a matter is pending for a decision before a Court of Justice nothing should be done which might disturb the free course of Justice. Any enquiry with regard to a case which is Sub Judice by the Govt for the purpose of satisfying themselves whether the prosecution is likely to end in conviction or not, so that they might instruct for withdrawal from prosecution is bound to interfere with the even and ordinary course of Justice and the High Court with discontenance any attempt on the part of any Executive Official however high he may be, to prejudice the merits of a case and to usurp the functions of the Court which has got Seisin of the case. Such a practice is a fraud with immense danger. It is wrong to contend that a parallel enquiry can be started by the Govt. " A.I.R. (36) 1949 Patna 222.

Here a question may arise whether this Tribunal is a Court of Justice or not. Nowhere in the Constitution Act, 1947 or in the State Election Rule, 1948, the Tribunal is defined. So we are to take it as it is in England and India where it is a full pledged Court. Halsbury's Laws of England writes " 906. A special Election Court has been constituted by a statute for the trial of Local Govt Election Petition. 907 a Commissioner's Court is a Court of record. For this reason its order can only be proved by production of record; and for the same reason the Commissioner can commit to prison any person who is guilty of contempt of Court in the face of the Court." Webster's International Dictionary gives the meaning of Tribunal as " A Tribunal who administer Justice: a seat of Judge : a bench on which a Judge and his associate sit for administering Justice." The Concise Oxford Dictionary " Judgement seat, seat or bench for Judge (s) or Magistrate (s) Court of Justice " etc.

Act XXXIX of 1920 defined the power of the Commissioners as " And shall be deemed to be a Civil Court within the meaning of Sec. 480 and 482 of the Code of Criminal Procedure 1898". Election Tribunal is a special Court. It tries a case which is neither a Civil nor a Criminal one. So it requires a special adjective Law. It is for the reason specially that the Legislature of the Manipur State has passed Election Rules passed Rules Nos.52 and 55 of the M.S. Election Rules, 1948. Over the Code of Civil Procedure (Act V of 1908) is not yet formally adopted in the State; so those rules are necessary.

In Council Resolution No. 21 of 18.12.48 the M.S. Election Tribunal was declared a Quasi Judicial Body. Our predecessors did not agree to the definition of the Tribunal and had a long correspondence. Before finishing the correspondence they died on account of illness and other things. So the matter was dropped. We can say that this Tribunal cannot in theory and practice be a Quasi Judicial Body. Hon. Kemp Allan K.C.M.C. D.C.J. etc. etc. wrote in his book called "Law and Order" under the caption: characteristics of Judicial and Quasi Judicial processes defines from characteristics of a Judicial Process (1) a statement either orally or in writing of the case, i.e. (2) the ascertainment of the facts by means of evidence (3) argument by the parties on points of law which may arise; (4) a decision disposing of the matter in the findings being based on stated conclusions concerning the facts and the application of such rules of law as the Judge holds to be relevant and binding upon the parties. This last characteristic is important. The Judge is, of course, a free Agent determining what rule of law is applicable, but having so determined, he is not a free Agent to decide whether he will follow it or not. He decides as it dictates, not as his discretion inclines."

"A quasi Judicial Process Exhibits the First and second characteristics, but necessarily the third, and never the fourth..... The Judge, when an accused person has been found guilty of wilful murder must pronounce sentence of death; a Quasi Judge, in the same situation, could exercise his own prerogative of mercy, as so desired, and impose a better penalty, or none." From this it is quite clear that this Tribunal or any other Election Tribunal cannot be a Quasi Judicial Body. The compound word 'Quasi Judicial' has got its technical meaning. If the Government wants to use the word 'Quasi' in its ordinary dictionary meaning as "almost" in a manner; as if, as it were; likely - Student's favourite dictionary by Ashutosh Desai, desiring to keep the Manipur Legal word outside the pale of the civilised jurisprudence it can do it and defines the Tribunal as such. But by the time the resolution was passed the Manipur State Legislative Assembly came into existence, and the council had absolutely no power to legislate. The administrator did not know the respective function and duties of the Executive, Legislative and Judicial Bodies. What the Hon'ble Sir Harilal J. Kania, Chief Justice of India, stated at the Diamond Jubilee Celebration of the Andras advocates' association held on 1 April 1949 will explain the respective duties which runs as follows - "The Government of a country has its own activities and functions separately curbed out. It, however, forms an integral part of the whole. There is no fundamental conflict between each of them. However, each of them has to perform its functions in its respective defined spheres, the independence of the one from the other is essential to be expected. The legislative frames the laws. The Executive Government is to carry on the Government according to the laws prescribed by the Legislature. The event of a question arising whether certain acts of the Executive are within the law or not, an independent authority has to decide it. That is the function of the Judiciary..... If that authority is under the control of either, a general apprehension about the impartiality of the decision must arise..... Independence of India means the independence of each people and that independence can remain only if the law is respected not only by the individual citizens but by the State which means the citizens in the collective sense." Even if the Council desires knowingly or unknowingly to interfere with the Legislative process to meet its desired end which it thinks extraordinarily important and even if the resolution be passed by the Council of the Interim Period this resolution requires, according to section 28 (V) of the Manipur State Administration Rules, 1947, the approval of His Highness the Maharajah of Manipur to become a Law. This as a B (routine) resolution cannot be operated as law. As stated above as the Hon'ble Minister Allim Uddin was unwilling to perform any act in connection with the case on the day of his last chance the Tribunal had no other alternative but to close the proceeding of the case as contemplated by O.17.r 3 C.P.C. which runs as follows :- "Where any party to a suit to whom time has been granted fails to appear as evidence or to cause the attendance of the witnesses or to perform any other act necessary to the further progress of the suit, for which time has been allowed, the court may, notwithstanding such default, proceed to decide the suit forthwith." So the proceedings were closed and judgement for 18.5.49 after deciding the case on its merits reserved. But due to the more important business and other ready fixed cases to be decided could not announce the judgement on this date and postponed the announcement to 27.5.49.

Coming to the merits of the case we find that the facts and figure that the respondent polled 2800 votes which was invalidated and 1192 muslims votes the para 1 (b) of the plaint quoted above are not contradicted. The respondent

by the Para (b) of his written statement by direct implication admitted the existence and significance of the resolution No.2 of the plenary session of the Franchise Committee of which the present Chief Minister was the Chairman and two Hon'ble Ministers of the present Council namely Dr. Leiren Singh and Mr. Teba Kilong were the members quoted above. As the respondent admitted these facts by his pleading they need not be proved as contemplated by Sec. 58 of the Indian Evidence Act which runs as follows: "No fact need be proved in any proceeding which the parties thereto or their Agents to admit at the hearing, or which before the hearing they agreed to admit by any writing under their hands or which by any rule of pleading in force at the time they are decided to have admitted by pleadings." Now it is not contradicted that the respondent got only 280 general votes and 1192 muslim votes. There are non-mohammedans who polled 1088 general votes, 1062 G. Vs. In this connection we have perused Ex. It is also admitted that there is the above quoted resolution No.2. This resolution is elucidated in 11 (IV) of the rules for the guidance of the Presiding and Polling Officers for the Manipur State Assembly Election, 1948, which runs as follows: "In respect of the double member constituencies of Lilong, Mayang Imphal and Yairibok where one seat is reserved for members of the Muslims community and of Vairibok where one seat is reserved for a Hill Man, each voter shall be given two distinct Ballot Papers one of which shall be white and the other coloured and the Polling Officer shall explain to the Voter that he has to place white Ballot Paper in a box of one of the general Candidates and the coloured one in the box of one of the Muslims." From this it is clear that Lilong is one of these special constituencies. The Ballot paper of the general candidate is white and that of the Muslim coloured. In the 9th, 10th and 11th lines of the nomination paper Ex. Paper A the respondent ran with its feet notes it is clear that the respondent stood as a muslim candidate for muslim seat. From Ex. B we have found that two muslims were declared elected from the Lilong Constituency in defiance of the above resolution and the rule. It may be argued that the said resolution did not clearly state that from this constituency one Muslim and one non-Muslim should be returned. On Page 4 of the Manipur State Gazette Extraordinary of 24-2-48 it is clearly written that from Lilong one Hindu and one Muslim must be returned Ex. D. From this it is clear; from Lilong two muslims cannot be returned. Of the two Mohammedans from Lilong Kadir Polled largest number of votes. Ex. C. So the respondent Allim Uddin cannot be returned from this constituency. In this connection in his written statement the respondent argued that the Sec. No. 17 of the Constitution Act allowed the respondent to be elected from Lilong for the general seat. But we do not think that the Election of the respondent as returned from the general constituency is in accordance with the Sec. 17 of the Constitution Act of 1947, if people take the three figures of 30:18:3 of general, Hill and Mohammedan constituencies respectively of the whole ratio into consideration. The constitution making body who drafted the Act of 1947 drafted this Election Rules of 1948 in which they clearly passed as follows:—

The following are the special constituencies from which one muslim and one Hindu will be returned:—

- (34) Lilong,
- (35) Mayang Imphal,
- (36) Yairibok.

The first line of the foot note of the Manipur State Assembly Nomination paper gives the meaning of "General" in more concrete form that "General includes all communities excepting Hill men and Mohammedans". So the law immediately before us for trying this case is quite clear. So we do not think that there is any repugnancy between the Constituency Act 1947 and its Bye-Law, Viz. M.S.E.R. If there be any, it is the Legislature to correct it. But the Tribunal is to try the case according to Election Rule as the Self same Sec. 17 says "Election shall be in a manner and by such franchise as may be laid down under the rules for the Election to the State Assembly....." The respondent in his written statement quoted Election Appeal 4 of 1947-48 to support his case. We do not think it worthwhile to discuss this here as the case is one in respect of a constituency which does not fall within one of the said three constituencies. Even if it is taken for granted that a non-mohammedan can be returned in place of "a Hindu" from the Lilong Constituency for the general seat we can point out that the respondent contested for the muslim seat. He never stood for the general seat. He got only 280 (2 ?) votes for it. We have not obtained the ballot papers of the respondent as figures given by the petitioner and the figures obtained from the office records are not disputed and contradicted by the respondent.

we have signed and sealed the ballot papers as Ex. E on the cover.

We desire to say clearly that we disposed of this appeal petition as an against the orders of the Returning Officer as empowered by the first sentence of S.55 (6) (a) of the Manipur State Election Rule, 1948 which may not be alive in its infant stage for the universal adult franchise which is not yet in India and Pakistan as well as an Election petition.

In such a gross mistake this Tribunal exercising its inherent power given by S. 151 C.P.C., for the ends of justice must correct it.

In such serious error the Tribunal could correct it by exercising its revisionary power as the Returning Officer elected a stranger who did not contest for the seat at which the R. O. has no jurisdiction to do.

Why the mistake is so clear :-

(1) From Lilong where there are only two seats one Mahomadan and one non-Mahomadan were to be returned according to law but two mahomadans were sent up to the assembly but no non-mahomadan by the R.O.

(2) The respondent contested for the Mahomadan seat the ballot paper of which was coloured and secured only about 280 white ones which are meant for the general constituency but he was returned as elected from the non-mahomadan general seat. This is nothing but electing a stranger as stated above.

In the circumstances stated above we declare that the election of the respondent Md. Alimuddin from the Lilong Constituency as a 2nd Mahomadan member for the general seat is void.

The Chief Minister will please direct the Returning Officer or any Officer lawfully empowered for this purpose to declare a right man to be elected according to law from amongst the non-Mahomadans.

Return the money deposited by the petitioner to him.
ANNOUNCED.

SD/ L.M.I.H. SINGH,
Dt. 27-5-49.

SD/ TH. K. SINGH,
Dt. 27-5-49.

SD/ S. SHANGYANG,
Dt. 27-5-49.

M.C. ROY,
Secretary,
Election Tribunal, Manipur State.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

Imphal, Wednesday, September 14, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART I.

Office of the Home Department MANIPUR STATE.

No.1/APP/49 dt. 8-9-49.

Under A. B. R. No. 1 of 3-8-49
Mamso Saiza B. A. is appointed
Circle Officer of Phaisat on proba-
tion for one year.

Under A. B. R. No. 2 of 3-8-49
Lomba Singh, offg. senior compounder
veterinary office has been confirmed
in post of senior compounder.

Sd/T. Kalachand Singh,
Secretary, Appointment Board.

Office of the Chief Minister (Home) MANIPUR STATE.

Order No. 62 of 1949.

Tripuranath Bhattacharjee M.A.B.L.
is appointed temporarily as a Pub-
lic Prosecutor on the pay scale of 200-10-250
Till Suresh Chandra Bardhan B.A.B.L.,
permanent public prosecutor comes.

Sd/P. B. Singh,
Chief Minister (Home) Manipur State.

PART II

Council Resolution No. 2 of 7-9-49.

To reconsider C. R. No. 27-7 49, in the
light of Revenue M's Memo No. 88-B.T.
dt. 29-8-49, about reserving the entire
area of Keibul Lamjao as a stags sanctuary.

All areas excluding those covered by
pattas issued upto the date of the C. R.
No. 37 of 27-7-49, be reserved.

By order of H. H. in Council.

Council Resolution No. 41 of 2-9-49.

To consider Home M's Memo No.
5897-GA/Orgl. dt. 28-8-49, forwarding report
of S. P., asking that he may be allowed
to grant rewards to officers and men for
their good work.

The S. P. is empowered to grant re-
wards as exercised by S. P.'s in districts
of Assam.

By order of H. H. in Council.

Council Resolution No. 29 of 2-9-49.

To consider Jail M's Memo No.
128-J/IV-11 dt. 23-8-49, asking for raising
the scale of fire-wood under D. R. No. 2
of 28-3-45.

The rate of fire-wood is increased to 1½
sr. per 1 sr. of rice with effect from 15-9-49.

By order of H. H. in Council.

Council Resolution No. 48 of 2-9-49.

To consider S. O. Memo No 273-BE/L.S. dt. 24-8-49, asking that he may be declared as R. O. for the bye-election of Tengoupal Constituency.

He is appointed R. O. for all bye-elections and re-elections.

By order of H. H. in Council.

Council Resolution No. 43 of 2-9-49.

To consider Ch. L. S. G. Memo No. 683/L.S.G./47 dt. 18-8-49, forwarding

copy of resolution No. 1 of 2-8-49, ab shop site revenue.

Imphal Town Fund (L. S. G.) is allowed to collect shop site revenue henceforward bearing expenses for improvements etc the Bazars.

By order of H. H. in Council

H. B. Singh,
Chief Secretary.

PART III.

NOTICE NO. 785 T.F./46 dated 9.9.49.

Applications stating age, qualifications and previous experience, if any are invited for the post of one Overseer on scale of Rs. 75-5-100 in the Imphal Town Fund Office. None need apply who is not a qualified Overseer.

Preference will be given to the natives of Manipur. Applications will be received by the undersigned upto 21st September, 1949.

Chairman, Local Self Government.
(Imphal Town Fund).

Copy of Circular No. 135, dated, the 23rd May 1949, from the Government of India, Ministry of Industry and Supply Iron and Steel Control.

Subject :—Relaxation of Control over Wire Nails.

It has been decided to relax the control over the distribution of Wire Nails in view of the large stocks of imported Nails.

2. The producers and Stock-holders including Controlled Stock-holders and importers are being authorised to dispose of and their customers to acquire any quantity of Wire Nails, whether imported or indigenous the production of a quota certificate or permit.

3. The relaxation, however, does not apply to exports of Wire Nails outside the Indian Union, and Statutory selling prices of Wire Nails will still continue to apply in all cases.

4. With immediate effect indentors can place their orders for Wire Nails direct on a stock-holder or producer instead of routing the orders on the latter through the Iron and Steel Control.

5. Indentors are also requested not to include their requirements of Wire Nails in the demand statements periodically furnished by them to the sponsoring or Co-ordinating authority concerned.

Publicity Officer, Manipur State.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, September 7, 1949.

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			Nil

GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Council Resolution No. 10 of 20-8-49.
consider Rev. M's Memo No. 512-L.
-49, about the disposal of brick field
(Hafiz Hata) under C. R. No. 32 of

such pattas be issued. It should be
clear to the occupants that they
claim the right over the land for
such pattas are given.

By order of H. H. in Council.

H. B. S.,
Chief Secretary.

PART III

M. Meghachandra Singh erstwhile
Professor of Economics of this College has
discharged from service with effect
the afternoon of 20-8-49 vide Council
No. 5 of 1949-50.

N. B. Singh, Principal,
D. M. College, Imphal.

Office of the Adviser to the Governor
of Assam States Department.

No. No. S/Misc/2/49/39. Shillong 6th
August, 1949.

The undermentioned paper is forwarded
to the Dewans, Tripura and Manipur States,

Chief Minister, Cooch Behar State and
Dominion Agent, Khasi States for informa-
tion and guidance.

By order etc.

Assistant to the Adviser to the Governor
of Assam.

Memo No. D/S/5095, dated the 22nd
June 1949 from the Principal Private
Secretary, Prime Minister's Secretariat, New
Delhi to All Ministries and Heads of
Departments.

Copy of memorandum No. D/S/5095,
dated the 22nd June, 1949, from the Prin-
cipal Private Secretary, Prime Minister's
Secretariat, New Delhi to All Ministries
and Heads of Departments.

The Prime Minister has noticed that
various Ministries and Government Depart-
ments frequently refer to him in various
papers, statements, broadcasts etc., as the
Prime Minister of India. This is not quite
fitting. In India and in all references to
him in India, he should be referred to
only as "THE PRIME MINISTER". If
any other Prime Minister of another country
comes here, the name of that other country
should be added in order to show that the
visitor is the Prime Minister of a different
country. But it would not be proper to refer to
our Prime Minister in our own country other-
wise than as "THE PRIME MINISTER".

I shall be grateful if you will please
draw the attention of all officers to this.

NOTICE.

Provisional enrolment of Refugees in the Electoral Roll of the House of people.

Pursuant to the decision of the Government of India that refugees from Pakistan will be provisionally registered in the Electoral Roll of the House of People on a declaration by them of their intention to reside permanently in the locality to which the Electoral Roll relates, the Manipur State Council has under its Resolution No. 3 of 10-8-49, empowered the five Tahsildars of the Manipur Valley and the Mauzadar of Jiribam for the acceptance of such declarations from bonafide refugees residing in their respective jurisdictions.

The 30th September, 1949 has been fixed as the last date for the acceptance of such declarations. Necessary forms in this regard may be had from the respective Tahsil Offices.

Imphal,
The 25th August, 1946.

P. C. Deb,
Reforms Officer, Manipur State.

OFFICE OF THE MANIPUR STATE COUNCIL.

Imphal, the 29th August, 1949.

To

ALL HEADS OF STATE DEPARTMENTS.

Quite a number of telegraphic reminders on various matters are received from Shillong and elsewhere and State Depts. are not as prompt as they should be. This is a slur on the reputation of the State administration.

Telegraphic reminders should be attended to immediately on receipt in any case not later than the very date of receipt.

Heads of State Depts. are therefore requested to see that the above is strictly observed.

H. B. Singh,
Chief Secretary.

On the result of the promotion Examination of the college Abdur Manir Ahmed of the 4th year class and Ng. Kumarjit Singh of the 2nd year class have been granted free studentship, and E. Sonamani Singh of the 4th year class and N. Tombi Singh of the 2nd year class have been granted half free-studentship, each for a period of 1 year from June 1949 to May, 1950.

Nanda Babu,
Principal

D. M. College, Imphal.

OFFICE OF THE HOME MINISTER, M. S.

Notice No. 1/in/49

dated 25-8-49.

is hereby given for public information that the Government of India Ministry of Labour have proposed to make an additional allotment of building materials like steel and cement to factories for the purpose of providing several amenities like canteens, Rest rooms, lunch rooms, creches, ambulance rooms and washing facilities and the Government of India will render all possible assistance within their scope to obtain equipment, apparatus and coal for burning bricks. Factories which require these materials for the industrial development are requested to submit their requirement to the undersigned on or before the 7th Sept. 49.

P. B. Singh,
Home Minister, Manipur State.

মনিপুর ষ্টেট এসেমব্লী

১৯৪৯ উৎলো কেন্দ্রগী বাই-ইলেকসন

পোলিং ষ্টেশনগী তালিকা

ভৌগদৌরিবা উৎলো কেন্দ্রগী বাই-ইলেকসনগী পোলিং ষ্টেশনগী: অসি ভৌগদৌরিবা সাধাৰন নিৰ্বাচনগী পোলিং ষ্টেশনগী চপমাই। কেনডিডেটশিংনা অমহুং ময়য়া খংবিনবগীদক অমুক হুয়া মখাদা ফোংজরি :—
১-২ উৎলো কেন্দ্রগী পোলিং ষ্টেশনগী তালিকা

নং	পোলিং ষ্টেশনগী মখাদা লৈবা খুল নত্ৰগা মফংগী মমিং	
মিক নং অমহুং মমিং	অহানবা ভূমিতা পিগদবা	মখংগী ভূমিতা পিগদবা
১ খাজিৰি বালিকা কুল	৯৮ নং মাইল্লাম কাংমোং ৯২ খাজিৰি (ভোংত্ৰম, লাংগোলকম মাইল্লাম কাংমোংগী মমুং চলে।)	১৪ নং বালৰাম খুল ৯৩ নং অৱাং জিৰি ৯৪ নং হৈত্ৰুজম ৮৭ নং ভোপ খাৰী
২ লৈমাপোকপম প্রাইমারী কুল	১২ নং লৈমাপোকপম (মাইবম কেইবেং য়াওরে)	১০ নং পুথুথুম ১৫ নং থিয়াম ১১ নং লৌৱেথুম ৮ নং লাংপোক ককয়াই
৩ উৎলো নিম্নপ্রাইমারী কুল	১৬ নং উৎলো ১৮ নং লাইতোনজম ১০ নং থাংভক	১৭ নং ফোইজিং মখা ১১ নং ঐ অৱাং ৮৮ নং য়ামৌ বমদিয়াৰ

কেন্দিদেট খুদিং ক পোলিং ষ্টেশন খুদিংমকী পোলিং এজেন্ট অনি অনি হাঙ্গিবা য়াগনি। পোলিং এজেন্ট অনিবা কেন্দিদেট খুদিং এজেন্টশিংগী মমিং য়াওনা ইহুনা ৱিটনিং অফিসাৰদা এজেন্টশিংগী মমিংদা ক্ৰমত। পত্ৰ য়াওনা ১০।৯।৪৯ ঠংই মমুংফাওবদা দৰখাস্ত খাংবগদবনি। মাসি য়াওজবদি এজেন্টশিংনা পোলিং ষ্টেশন মমুংদা চংবা য়াই। ইতি

ইক্ষান

প্রফুলচন্দ্রদেব

তাং ২৬।৮।৪৯ ইং

ৱিটনিং অফিসাৰ।

ট্রান্সপোর্ট নেশনেলাইজেশনগী ময়িদা ষ্টেট সরকারগী প্রেস নোট।

মনিপুরদা ৱেজিষ্টাৰ ভৌবা হাওয়া গাড়ী মশিং ১১১৮ নি। অতৈ লমদা ৱেজিষ্টাৰ ভৌবা মনি-
পুরদা টেলিফোন গাড়ী মশিংনা ১০৫ নি। মোট গাড়ী ১১২৩ নি। অসিগী মমুংদা জীপ, কাৰ
ষ্টেশন হাওজাংগিবা ১৭-টন নত্ৰবা গাড়ীগী মশিংনা ৪৩৯ নি। ৭-টন গাড়ীগী মশিংনা ৭৮৪ নি।
অসিগী মমুংদা ৩০।৯।৪৯ ইংনা লোইবা কাটৰ কাওব, খাজনা থিবা গাড়ী ৫৭২ তনি। মসিদা প্রাই-
ভেট কেৰিয়াৰ গাড়ী ১০০ য়াওরি। পৱিক কেৰিয়াৰ পাৰ্মিট লৈবা খাজনা থিবা গাড়ী ৪৭২ তনি।
অসিগী মমুংদা মেল পুনবা গাড়ী অমহুং বস চনবা গাড়ীগী মশিংনা য়াওবনি। ষ্টেটনা নেশনে-
লাইজ ভৌবদ ময়ী লৈনৱকদবা গাড়ীদি ৪৭২ অসিনি।

ইক্ষান—ডিমাপুৰ লাই অসিনা য়ায়া শাংবা অসিদা সিটনা ময়িং কাৰদবা অমহুং মতিক চাবা
ওইদবনা প্যাসেঞ্জাৰশিংনা লংকৈ চপদা য়াৰিবা অসি কোৱনবা হায়হুনা ষ্টেট ট্রান্সপোর্টনা বস সাৰ্ভিস
চেলগনি। দয়কাৰ ওইবা মতমদা ষ্টেটগী গাড়ী থাগনি, পৱিককী গাড়ীসু ৱাইহুনা শিজগনি। লাই
লমখাংলা গাড়ী পলহুৱা, পুৱিবা পোং মাংহুৱা নত্ৰগা শোইহুৱবদি ষ্টেটগী মিংদা অথিবা লাকদবা
ময়দা অৱাইবা গাড়ী অহু মতুংগী ৱোকাৰদা অৱাবগা লোইননা ককথংচবা তাই। প্যাসেঞ্জাৰশিংগী
খুশোচানবগীদমকী ষ্টেশন ফোন্লা পোখাফম অমহুং চান-থক্ৰবা মফম বন্দোবস্ত ভোজগনি।
ষ্টেট ট্রান্সপোর্টনা ভোজগদৌরিবা থক অসি ফগংবা তা ৱিটনিং অফিসাৰ পুয়মক হুয়াও হুয়াও লোজগনি।

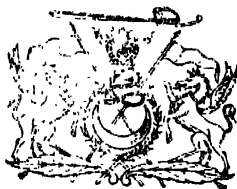
আৰ, কে, সানাহল সিংহ।

পৱিসিটি অফিসাৰ, মনিপুর ষ্টেট।

NOTICE.

There was no issue of the Manipur State Gazette Dated 31st August, 1949 on account of Radhastami Holiday.

Dhananjay Singh,
Offg. Supdt. State Press



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, August 24, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Council Order No. 2 of 1949-50.

It has come to my notice that big files often fastened with pines and clips in State Offices. There is always the fear of some papers being lost in transit handling. It is ordered that all files must either be tagged or stitched with strong threads. Heads of Depts. and Offices are requested to see that this is complied with strictly.

Imphal, the
August, 49.

Sd/-P. B. Singh,
Chief Minister.

Council Resolution No. 1 of 2-7-49.

As desired by His Highness the Maharaja of Manipur to Nationalise transport in the State the Council has obtained the authority to draw upto Rs. 4 lakhs from the investment towards the carrying out of His Highness wishes.

The Council resolve that a Board be constituted consisting of the following to organise and conduct the working of the Manipur Transport subject to the general superintendence of the Council:—

- 1. Chief Minister—Chairman,
- 2. The Manager of the State transport—Ex-Officio Secretary of the Board,
- 3. One nominee of His Highness,
- 4. One Representative of the Manipur

Chamber of Commerce, Imphal,

5. One Drivers' Representative,

6. Two nominees of the Council—The Hon'ble Hill Minister and Minister i/c. C. & I.

7. S. P.,

8. One Representative of the State P.W.D.

The Board will have the power to co-opt a member upto a total of two. The Board will frame its own business rules. The present area of the rice Godown be used as the Imphal Motor station.

Sjt. Khuraijam Budha Singh be appointed as the acting manager—@ Rs. 200-10-300/- p. m.

H. H.'s comments vide Memo No. 145 P. 1/49-50 dt. 26-7-49:—

Approved provided it does not affect free or private enterprise.

H. B. S.,
Chief Secretary.

PART III

Notification No. 2 P. of 1949

Whereas a vacancy has occurred in the Tengnoupal Constituency vide C. R. No. 12 of 22-6-49 on the Election Tribunal Case No. 20 of 1948-49 I hereby call upon the said constituency of Tengnoupal to fill up the vacancy.

Sd. Bodh Chandra Singh,
MAHARAJA OF MANIPUR.

নোটিশ

ষ্টেট মোটর ষ্টেশনগীদমক পুলিস বাজারদা লৌগদবা লম।

মখাদা উলিবা লমগী মণ্ড অসি পরাঁকী হাইবদি ষ্টেট মোটর ষ্টেশন অমা শেয়বা ষ্টেট সন্-
কারনা লৌশিলগনি হাইনা লেয়রে। অহুনা লমশিং অসি হক থোকপশিংনা (ফংকম থোকপশিংনা)
নোটিশ অসি কোংবা থা অমগী মজুংদা মখাদা সহি তোরিবা অফিসারদা মহাক্সা লমহু ফংকম থোক-
পগী মরম (হক থোকপগী মরম) প্রমানগা লোইননা অমশুং দাবী তোরিবা ক্ষতিপূরণটিংবা ইহুনা
দরখাস্ত থাবিগদবনি। মসি হাইবিবা মতমসিদা শোইরবদি ক্ষতিপূরণগী মরম অমতা খরজরোই। মনা-
উদা অসিগুহা দরখাস্ত থাবিখিবাশিংদি, অমুক থাবিদবা য়াগনি।

লমগী মণ্ড

খুল :—৪০ (ক) পুলিস বাজার

তহশীল :— ইক্ষাল ওয়েষ্ট

উক্ত খুলগী ৩ নং, ৬ নং, ৭ নং, ৮ নং, ১৩ নং, ১৫ নং, ৩১ নং অমশুং ৩৫ নং পট্টাগী লম,
মখাগী অসিনা কোইশিনবা :—

অব্রাং — কো গুদামগী সিমান

মখা — কৈশামখোং লম্বী

নোংপোক — ব্রহ্মা লম্বী

নোংচুপ — লম্বী ও এন্ড্রেয়ম চাওবা সিংহ

পুন্না বিধা ১, কাঠা ৪ অমশুং লোচা ১ রোম ওইবা।

ইক্ষাল
তাং ১২।৮।৪৯ }

P. C. Deb,
সেটলমেন্ট অফিসার

নোটিশ ৩নং

অসিনা মরম ওইহুনা ইশিংগী খাজনা বিরিবা মনিপুর প্রজা পুন্ডমস্তা ঋহুন্নি। ১৯৪৯-৫০ ইংগী
ইশিং খাজনা চাহৌ ১লা সেপ্টেম্বরদগী থিবা হোরগনি। হাইরিবা ট্যাক্স অসি ১৯৫০ ইংগী ১লা
ফেব্রুয়ারি থাগী মমাংদা লোইনা থিগদবনি। অসিগী মজুদা থিহৌজবদি ওডিনারীশিংনা মখাই ১০
অমা অহুগা য়ুদা পুশিনবশিংগী (Private connection) না লুপা ১ অমা জরিমানা লৌগনি।
১৯৫০ ইংগী ১লা জুলাইগী মমাং কাওবদা থিবা ওমজবদি প্রাইভেড কনেক্সন নস্তনা ওডিনারী-
শিংগীদি (জরিমানা ১০ মখাই অমা অসিদা নস্তনা) প্রসেস কী ১০ শিকি অমান্থ য়াওনা লৌগনি।

সেপ্টেম্বর ওক্টোবর পা ২গী অসিগী মজুদা মখানা ইশিংগী খাজনা থিরজবদি য়ুগী পোংটে
ক্রোক নিলাম তৌহুনা খাজনা আদায় ভৌগনি। ইতি

ইক্ষাল
তাং ৩০।৭।৪৯ ইং

মিনিষ্টার ইনচার্জ,
লোকাল সেলেক গভর্নমেন্ট

Notice

There was no issue of the State Gazette Dated 17-8-49 on account of the Janmastami holidays.

Dhananjoy singh,
Offg. Supdt. State Press.

PART IV

Assembly Proceedings continued from State Gazette No.113 of 10-8-49.

The Hon'ble the SPEAKER :- Hon. members, now I am going to give a definite His Highness' Memo No.2509p-1-1 of 13.6.49 is only a copy forwarded to us for information and guidance. It cannot be treated as a Stay Order. Reason for my uttering the words "Stay Order" now is this. On 7.6.49, the opposition party and some other hon. members demanded a Stay Order. Election Tribunal allow court or a higher court. That is not our concern. Under the circumstances, the new rule is that the decision of the Election Tribunal will stand. So the Hon'ble Alimuddin will not please join the Assembly discussion. It is upto the Council under section 57 of the Act they want to refer the matter to outside Authority.

The Hon'ble Mr. Alimuddin, Minister for Jail:- May I please be permitted to say something, Sir?

The Hon'ble the SPEAKER:- I am sorry. Under the circumstances I cannot comply with your request as there is no proper right to speak, please.

The Hon'ble Mr. Alimuddin:- Thanks (leaves the Chamber).

The Hon'ble the SPEAKER:- Hon. members, this is what I have written on the top of the letter to the Congress Secretary from His Highness the Maharajah sent as mentioned just now---

"As this is a mere copy sent to me it cannot be accepted as a Stay Order."

GENERAL DISCUSSION OF THE BUDGET.

The Hon'ble the SPEAKER:- Now we will take up the Budget. First there will be a general discussion. In the general discussion of the Budget hon. members are allowed to criticise the Budget and such criticisms are appreciated. Hon'ble Finance Minister also said on the day when he presented the Budget that criticism is appreciated and welcome. So hon. members will please make healthy criticisms on the Budget. But hon. members should not please indulge in destructive criticisms. Constructive criticisms are always welcome.

RECESS.

The Hon'ble the SPEAKER:- Hon. members now the general discussion of the Budget will take place. During the time of discussion no motion, no demand for grants and no voting will be done. One hon. member can speak for 15 or 20 minutes. According to our Business Rules the time for general discussion, demand for grants and voting shall be fixed by the Council. I wrote to the Council for fixing the said time. The Council has given two weeks' time. First general discussion will take place. The attendance is very thin today. So I want to know the opinion of the House whether the discussion will be taken up today or tomorrow.

The Hon'ble Dr. LAKHAN SINGH :- Mr. Speaker, Sir, no harm in taking it up today. The discussion will not be only for today. So it may be started today.

Sgt. AGHOW SINGH :- Mr. Speaker, Sir, according to the exigencies of the business we may have the sittings on Wednesdays and Saturdays also. Today we shall have time for discussion only two hours. We have short time for doing our business. Some hon. members come very late. Most of us take sitting allowance. If we prolong our discussion sitting allowances will be very heavy. The public are coming against our taking sitting allowance. I beg to draw the attention of the hon. members to this point.

The Hon'ble the SPEAKER :- Yes. According to the exigencies of business we have the discussion on Wednesdays and Saturdays if the House agrees. So this may be considered by the hon. members. Regarding the unpunctuality of the hon. members I have spoken repeatedly. Any way, I remind the hon. members again that they should be punctual. If we keep time we can accomplish much. Time is like money and very precious. On 7.6.49 the Hon'ble Finance Minister has begun to introduce the Budget. He will please continue.

INTRODUCTION OF " RECEIPTS".

The Hon'ble Sjt. IBOTOMCHA SINGH :- Mr. Speaker, Sir, we do not know the procedure done in the provincial Governments. Any way I am continuing. (He introduced " RECEIPTS " with Manipuri translation).

The Hon'ble the SPEAKER :- Any hon. members to speak?

Sjt. ACHOW SINGH :- Sir, is it not better to fix the number of speakers, that we may know how to allot time for each member?

The Hon'ble the SPEAKER :- Regarding this there is no definite rule. It will be difficult to fix the number of time because we cannot say who will speak and who will not speak. So we will consider the question of allotment of time according to the number of hon. members who will come forward to speak and according to the importance of the items concerned in due course.

Mr. JANNEN :- Mr. Speaker, Sir, in this budget one principle of the British who are now gone is used. The only means to improve a country is finance. Unless the condition of finance is sound no country can go towards progress. We should improve the villagers, the poor and people of far-off places. For such an improvement no steps have been taken. The most important axle in the machinery of such improvement is industry. It is an important thing. Nothing of the kind is mentioned in the budget. I am not speaking for the sake of destructive argument. This is rather a helpful criticism.

The Hon'ble the SPEAKER :- any other hon. members to speak?

GENERAL DISCUSSION OF BUDGET.

Sjt. ACHOW SINGH :- Mr. Speaker, Sir, we will make healthy criticisms of Hon'ble Finance Minister's budget. We will not indulge in destructive arguments. It is time of Democracy. We, representatives of the people, should see that public money is reutilised properly. This budget is of old type. British days have gone. Discussion item by item is unnecessary. It is not a balance-sheet. It is the budget which should benefit the poor and the rich alike. We should make provision for villages also. It is the only means of improvement. This is what is done in the civilised countries of the world. Our percentage of the poor is 95%. We should improve their helpless condition. We should arrange for the supply of good water in the villages. Medical facilities should be given in villages also. For the spread of education we should establish sufficient number of schools in villages and towns.

Regarding the establishment of departments I should like to say that some of the departments have been established unnecessarily. Many personnel have been employed unnecessarily. Excise Department which has been established is injurious to the poor. Commerce and Industries Department is sometimes injurious to the poor. Finance Department is injurious. The Commerce and Industries Department will take much income from the poor. What is done by the Co-operative Societies will be done by Commerce and Industries Department. This is bad. They will tax the poor. They will take much profit from the poor. Agriculture income tax may be taken. We are asked to pay much money for the Dewan. What benefit shall we get from such expenditure? Public Works Department much money has been provided. For river bunds at flood much money is spent every year needlessly. The Manipuri nalah-like rivers may be drained properly. Then so much money may not be used. Sales tax are taken. It is Income tax also may be levied. We have paid much to His Highness the Maharajah for his family. It is half the amount of the budget. This is bad. We welcome the establishment of the Commerce and Industries Department. It will do business and other things. In this budget much money is provided for the Manipur Rifles. Is it due to the fear of the Communists? Again around Raja's palace unnecessary walls are being constructed. Nationalisation of transport is badly needed. The increased rate of Court Fee Stamp is causing hardships to the poor. We should see means of income. Industry is an important means. In fine I should like to say that we should see that public money is used properly.

The Hon'ble the SPEAKER :- General discussion is meant for giving full details of the administration of the country to the public through their representatives. Any other hon. members to speak?

The Hon'ble Sjt. IBOTOMCHA SINGH :- Mr. Speaker, Sir, an hon. member has said we should see the future income and that some departments have been established necessarily. Excise Department is a usefull department yielding some income. Fish-Department is for selling the fisheries of the State. From this a good income is received. Income tax is taken in most of the provinces and States of the Dominion. We are arranging for this. State Servants' income tax was prohibited by a Darbar resolution. Agriculture income tax affects the poor peasants. Government is making a proposal only. It is not actually levied in the provinces of the Dominion. For industries the Government is taking up schemes. Raja's walls are not unnecessary. Beautiful palace is the pride of the nation. Much money is provided for the Manipur Rifles. It is not due to the fear of the Communists. When the British were here the 4th Bn. Assam Rifles was used in many places such as in the hills. But now when the British are gone the 4th Bn. Assam Rifles cannot be used for such purposes. So we shall have to increase the strength of the Manipur Rifles.

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, an hon. member has said about the expenditure provided for the Dewan. We can get some benefit from such expenditure. For the Revenue Department much money is provided, because this Department will spend much money for such purposes as training of some candidates in survey. An hon. member has said that we have provided much money unnecessarily for the Manipur Rifles. Yes. It is right. This year we have provided much money, because we are to buy many arms and ammunitions for them. The existing arms were bought long ago. So most of them have now become unserviceable. Next year so much expenditure will not be incurred on this head. Regarding nationalisation of transport the hon. leader of the opposition proposed this in the first session. M.A. and M.D.U. will be nationalised and they are taking expert hands as their employees.

Sjt. ACHOW SINGH :- Mr. Speaker, Sir, on a point of information. Will the Hon'ble Finance Minister be pleased to state the amount of money to be obtained from sales tax from cigarettes and biris?

The Hon'ble the SPEAKER :- Hon'ble Finance Minister will please reply.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Sir, I cannot tell the accurate amount. It can be given on Thursday next.

Sjt. ACHOW SINGH :- Sir, section 36 of the Constitution Act says --- "No tax whatsoever shall be shown in the budget and no tax shall be collected by any officer of the State or by any person unless such tax shall be imposed by due process of law." There are many important things in this section. Council act accordingly?

The Hon'ble the SPEAKER :- Will the Hon'ble Chief Minister or the Hon'ble Finance Minister please answer?

The Hon'ble Sjt. IBOTOMCHA SINGH :- Sir, new taxes are not shown in the budget. New bills for taxation will be dealt with in due process of law.

The Hon'ble Capt. P.B. Singh :- Sir, the late Darbar which had legislative power could tax. But now the form of Government has been changed. So any new taxation will have to be done by due process of law.

Sjt. ACHOW SINGH :- Sir, before the Assembly came into existence the late Darbar taxed the poor public by passing resolutions and orders. They had executive power. But now the Executive cannot have legislative power. The Executive shall only execute the laws made by the Legislative Assembly. Again the tax may rise or fall in different years. So the means of taxation are to be produced.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Mr. Speaker, Sir, on a point of order I beg to ask something. How many times is an hon. member allowed to speak? Some hon. members are exchanging words like pleaders in law courts.

The Hon'ble the SPEAKER :- No rules are laid down to this effect in our Assembly Business Rules and so far as I can see from the reports of the Assam Assembly, I find that there is no definite number of time to be allowed for speaking to an hon. member. This is general discussion of the budget, and I don't see any reason why hon. members should be forfeited their right to speak.

Sjt. ACHOW SINGH :- Sir, I do not mean destructively. What I ask is only a point of information. What I ask is --- is there any taxation to be levied? If it is to be levied will it be put up to the Assembly? The Executive cannot do such a thing. They cannot increase the rates of the taxes. Sales Tax Bill may be put to the Assembly by the Hon'ble Finance Minister.

The Hon'ble Major KHATHING :- Mr. Speaker, Sir, no tax will be introduced by the Council. Excise tax was introduced under the Assam Excise Manual. The Court Fee Stamp rate was increased by the Interim Council at the instance of the present Chief Judge,

The Hon'ble the SPEAKER :- Regarding the " RECEIPTS " there has been much discussion. If there is no other hon. member to speak the Hon'ble Finance Minister may please introduce " EXPENDITURE ".

Sjt. ACHOW SINGH :- If permitted, Sir, how will the income from the Commerce and Industries Department come?

The Hon'ble the SPEAKER :- Government to reply please.

The Hon'ble Capt. P.B. SINGH :- Sir, the work which are now done by the Co-operative Societies will be taken over by this Department. The income will come from the commissions obtained by selling the goods sold by the Co-operative Societies.

Sjt. ACHOW SINGH :- Sir, if the income is to come in such a way it will affect the poor public. It is not right according to section 36 of the Act. Here a ruling from the Hon'ble SPEAKER is desirable.

The Hon'ble the SPEAKER :- In the second stage of the Budget i.e. voting stage motions, amendments, demands for grants motions and cut motions etc. may be tabled. Hon. Members may please study the Draft Budget and prepare for it.

The Hon'ble Dr. LEIREN SINGH :- Sir, the hon. third party leader has spoken against the income from the controlled goods. Actually these controlled goods are controlled from the Centre. It is not a new thing.

Sjt. ACHOW SINGH :- Sir, will " RECEIPTS " be considered again? Is the discussion a broad one? According to our Business Rules Demands for grants will be moved item by item. In " RECEIPTS " can we table any motion?

The Hon'ble the SPEAKER :- When time comes it can be done. If there is no other hon. member to speak the Hon'ble Finance Minister may please introduce " EXPENDITURE ".

INTRODUCTION OF "EXPENDITURE".
("EXPENDITURE" introduced by the Hon'ble Finance Minister).

The Hon'ble the SPEAKER :- Motions should be submitted to the Assembly Secretary at least three days before the date on which voting will take place. The hon. third party leader has suggested that sittings may be continued on Wednesday and Saturdays according to the exigencies of the business. It will be considered by the House. Now time is up.

ADJOURNMENT:

The Assembly then adjourned till Monday the 14th June, 1949 at 10 A.M.

L. Th. Singh,
Secretary,

Legislative Assembly,
Manipur State.

12 no. 206/E.S-2

19-8-49.

The Manipur



State Gazette

PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

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Imphal, Wednesday, August 3, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

Council Resolution No. 8 of 20-7-49.

To consider Minister i/c. of Vehicle Dept. Memo No. 5/V. T. dt. 11-7-49, that Head clerk may be allowed to be of mutation cases based on Registration deeds for cycles etc.

Approved for one year in the first instance.

By order of H. H. in Council.

H. B. Singh,
Chief Secretary.

ORDER NO. 26 P. of 1949.

His Highness the Maharaja is pleased to grant Sjt. L. Ibungohal Singh, Judge, Chief Justice, leave on average pay with effect from the date on which he leaves station to the Government of India, August '49, to enable him to join the Government of the All India National Language Commission in Delhi.

Imphal,
16th July, 1949.

Sd. G. H. Singh
Offg. Private Secretary to H. H. the Maharaja of Manipur.

PART III

NOTICE

No. 1 of 1949-50 of Local Self Govt. (Water Rate) Dated 19-7-49.

Notice is hereby given for general information that the Water Rate Office is shifted to the new Local Self Government Buildings near the Keisampat Bridge in the same compound with the Hydro-Electric Office.

N. B. :—Please address all communications to this office as :— Minister i/c. Local Self Govt. (Water Rate) Manipur State.

NOTICE No. 1

It is hereby given for general information that the VEHICLE TAX DEPT. is now shifted to the newly erected buildings of L. S. G. near Keisampat Bridge.

All communications to this Office should be addressed to :— “ Minister i/c. L. S. G. (V. T. Dept.) Manipur State. ”

A. I. Singh,
Minister i/c L. S. G.
Manipur State.

এগ্রিকালচারেল নোটিশ নং ২ (১৯৪৯-৫০)

মধ্যগী মক মরাংশঃ অসি ষ্টেট এগ্রিকলচারেল আফিসতা Stock লৈয়ে। মরম অসিনা কনা কনাশুয়া Winter vegetable ধাবিনিংবশিংনা অচংবা মমল পিবিরণা এগ্রিকলচারেল আফিসগী ফংবিবা য়াগনি। মক মবাং চারা ছনবগী অমম্বং ধাবগী অকুম্বা মরোলনচিংবা পুন্নমক মক মরাং লোবিরবা কান্দা খংবিবা য়াগনি।

CATALOGUE

Sl. No.	Name of Variety of Seeds.	Price per oz.			Fixed rate for Public distribution.			Remarks
		Rs	As	Ps	Rs	As	Ps	
1.	<u>Cabbage :—</u>							All the seeds procured from the N. Cooper Co., Poona.
	(a) Large Solid Late Drumhead	1	14	0	1	10	0	
	(b) Large Early Solid ..	1	14	0	1	10	0	
	(c) Golden acre.	1	14	0	1	10	0	
	(d) Copenhagen market. ...	1	14	0	1	11	0	
	(e) All seasons.	1	14	0	1	11	0	
	(f) Succession.	1	14	0	1	11	0	
	(g) Chinese Variety. ...	1	8	0	1	6	0	
	<u>Beet-Root :—</u>							
2.	(a) Crimson globe. ...	0	13	0	0	12	0	N. B মং জমদার মং জমদার কংস চমডগী আউল মংদগী হের বিব য় হের। মশা মশাগী থানবগী লৌবিগদৌবনি। কনং ললোনবগী লৌবগদ ডিক চাবা দগি ক Stock য়ামদা মং থাবিগবলিনা মা লৌবিগদৌবনি নিং
	(b) Egyptian Extra Early. ...	0	13	0	0	12	0	
3.	<u>Radish :—</u>							
	(a) Long Chinese. ...	0	14	0	0	12	6	
	(b) Crimson Giant. ...	0	12	0	0	11	6	
	(c) Mixed. ...	0	12	0	0	11	6	
4.	<u>Knot-Khol :—</u>							
	(a) Early purple Vienna. ...	1	4	0	1	1	0	
	(b) Mixed. ...	1	4	0	1	3	0	
5.	<u>Turnip</u>							
	(a) Red globe. ...	0	13	0	0	12	0	
	(b) Snow ball. ...	0	13	0	0	12	0	
	(c) Golden globe. ...	0	13	0	0	11	6	
6.	<u>Cauliflower</u>							
	(a) Co-oper's first early. ...	2	12	0	2	9	0	
	(b) Super Snow ball ...	2	12	0	2	9	0	
	(c) Early Snow ball ...	2	12	0	2	9	0	
	(d) Veitch's Autumn Giant. ...	2	8	0	2	4	0	
	(e) Mixed ...	2	8	0	2	5	0	

Initial,
dt. 27-7-49.
For Agriculture Minister. M. S.

Continued from page 4 of M. S. G. No. 111 of 27-7-49.

Proceedings of the second sitting of the second session (budget session)
of the first Manipur State Legislative Assembly assembled under the
provisions of the Manipur State Constitution Act, 1947.

Sjt. SOMORENDRA SINGH :- Mr. Speaker, Sir, if the Election rules are strictly followed, no trouble will arise. The Election Tribunal is the highest authority in regard to election disputes and it has decided that the election of Mr. [Name] is null and void. What action does the Hon'ble Speaker propose to take in regard?

The Hon'ble the SPEAKER :- I have said that I would await a legal advice on this matter as I am not versed in law.

Sjt. SOMORENDRA SINGH :- Mr. Speaker, Sir, can I say something?

The Hon'ble the SPEAKER :- No. Because according to our Assembly Rules men- above a matter on which a judicial decision is pending cannot be debated.

Sjt. SOMORENDRA SINGH :- If a wrong has been done, it should be corrected.

The Hon'ble the SPEAKER :- Please sit down. I want to wait for such a correc-

Sjt. ACHOW SINGH :- On a point of order, we want a definite ruling from the SPEAKER as to what exactly is to be done in this matter.

The Hon'ble the SPEAKER :- In the next sitting, we will ask the Legal Adviser to please come to the Assembly and pass his legal advice and then come to a decision.

Sjt. SOMORENDRA SINGH :- Sir, the appeal in question might or might not be sustained. But there is no stay order in regard to the decision of the Tribunal. Hon'ble Speaker's ruling is therefore an arbitrary ruling.

The Hon'ble the SPEAKER :- As I have said I don't mean to reject what the Election Tribunal has decided. What all that I want is to take a legal opinion on this as we are not law experts; and it is a question of mere pending before such a legal advice is obtained. In other places also such a thing is done so far as I know. For example - Advocate General is allowed to speak in Indian Legislature.

Sjt. SOMORENDRA SINGH :-

The Hon'ble the SPEAKER :- Please sit down.

Sjt. SOMORENDRA SINGH :- Let us walk out.
(All Opposition party Members walked out).

Sjt. ACHOW SINGH :-

The Hon'ble the SPEAKER :- No debate, please.

Sjt. ACHOW SINGH :- On a point of order, Sir, we do not know who is the Legal Adviser. We only know you to be the highest authority in the House, and as such we ask you to give your own ruling. The Election Tribunal is the highest authority in the Executive or the Judiciary has no power to interfere with it. There is no Order either. We ask for a definite ruling.

The Hon'ble the SPEAKER :- Provisionally we had no legal adviser. But we have one now. We should consult him. This is not correct but we are ignoring the Tribunal's decision. In the next sitting we will ask the Legal Adviser in the Assembly to come to a decision in accordance with his advice.

Sjt. ACHOW SINGH :- On a point of order, Sir, are you bound by the advice of Legal Adviser?

The Hon'ble the SPEAKER :- One Legal Adviser has been appointed. We are laymen and do not know the technicality of law. So we should consult the Legal Adviser who is the expert. On 13.6.49, we shall have our sitting and on that day we shall consult the Legal Adviser in the Assembly.

Hon. members, the first hour is intended for Questions, but as all the hon. questioners have left, the question will stand over and will be taken up in the next sitting of the hon. questioners are present.

Now the Hon'ble Finance Minister will please present the State Budget for 1949-50.

PRESENTATION OF BUDGET.

The Hon'ble Sjt. IBOTOMCHA SINGH, Minister for Finance :- Mr. Speaker, Sir, this is the first occasion in which the budget of Manipur State is discussed by its elected representatives on whom now lies the great responsibility for governing the Mother Land in these complicated days of changing world. The Budget which this representative House will pass will also be the first one framed by her own people after Manipur got rid of British Rule. Our prayer should be that let this Budget be not last of its kind. My earnest appeal to all the hon. members of the House especially those of the Opposition is to consider it with a free mind not influenced by any of party feeling or the like.

Let it not be the policy of the Opposition to criticise whatever the Government do whether good or bad. My appeal is that let there be no criticism for criticism's sake. I should rather warmly welcome healthy criticism. No Government can be satisfactory without healthy criticism. Most of the present Provincial Governments of India are now sick of one party Government due to lack of proper criticism. I should regard the Opposition as the partners of our Government.

Before I introduce the draft budget before this House I had placed it before the Executive Council who were pleased to go through all the items of receipts and expenditure one by one. Many items which I would have been too glad to include had omitted due to want of fund. The question of priority had to be applied in many cases. God willing, we shall be able to take any and every item of nation building work in course of time.

We cannot go beyond the limits of our finances. As all the hon. members are aware, democracy means money. We have now got democratic Government but we get no money.

The House will now explore means how to get new money. But I should remind the House that the tendency of our people now-a-days seems to be not in favour of give and take. They seem to think that they are now free to demand for improvement of bridges and so on, because they have now got independence. They seem to forget that these things cannot be done without money; because they seem to wish that no change is introduced in existing state of things in respect of payment side. We should not hesitate to proceed against their will for fear of being unpopular. But if we yield to such weakness the running of a growing Government will become difficult though not impossible. So we are to face many knotty problems in matter of exploitations, means for new sources of income.

Now I should like to place a picture of the present financial position of the State before we enter into the items of receipts and expenditure for the coming year.

We shall start our budget with an opening balance of 13 lakhs of rupees which we saved from the outgoing year. The State has got investments with the Government Bank Ltd. totalling Rs. 22,92,000/- and placed Rs. 14,00,000/- with the Manipur State Bank Ltd. as the State's shares. It will thus be seen that we will start the coming year assets amounting to Rs. 49,92,000/- including opening balance of Rs. 13 lakhs.

Of the said assets the opening cash balance is Rs. 13 lakhs may be made available for expenditure in the coming year leaving investments and shares untouched. This is the total receipts for the coming year which are estimated at Rs. 25,10,725/- we shall have available for expenditure in the coming year.

Against this total receipt of Rs. 48,10,725/- we shall be having an expenditure of Rs. 48,56,566/- for the year and thus a balanced budget.

Some may say that this Budget is a deficit one, because the opening balance Rs. 13 lakhs has been included in receipts. In this connection I may point out we exclude non-recurring and special items of expenditure viz :-

Provision for construction of D.M. College	Rs. 1,18,874/8/-
Do. Assembly and Secretariat building	Rs. 1,00,000/-
Purchase of Arms and Construction of Barracks	Rs. 2,64,786/-
Tahsil Office construction	Rs. 1,00,000/-
Completion of Tamphasana Girl High School	Rs. 25,000/-
Dearness allowance	Rs. 5,30,000/-
Loan to Hydro Electric Board	Rs. 2,40,000/-

Amounting to Rs. 13,78,660/8/-

The total expenditure for the year would come to Rs. 34,16,906/8/-. It can be seen that the Budget which I lay before the House is a balanced and self-sufficient one.

The Hon'ble the SPEAKER :- The Hon'ble Finance Minister has just presented the State Budget for 1949-50. Discussion of the same will not be done today. It will be done afterwards.

According to our Business Rules time for general discussion and voting of demands for grants is to be decided by the Council. As I declared yesterday copies of the Draft Budget have not been furnished to the Hon. members in time. The general discussion is generally taken up after one week. As regards voting of demands for grants, I will consult the council. Then let the House know the time etc. first.

As Hon'ble Members have each received a copy of the Draft Budget and will please peruse and study it at home at leisure by way of preparation.

As the Hon'ble Finance Minister has just stated, it is natural to criticise the Government. This may be good or bad according to the spirit in which criticism is made. But healthy criticism is always good and welcome.

will now read out the report on New Churachanpur Town as submitted by the Special Commissioners appointed by the Assembly (reads).

CONSTRUCTION OF TOWN AT NEW CHURACHANPUR.

The Hon'ble the SPEAKER :- According to Mr. Damjakhai's adjournment Motion we sent three special commissioners to investigate the grievances of the people of New Churachanpur arising out of the proposed construction of a town there. In their report they say that the proposed site for the construction of the town affects many paddy fields. The inhabitants of affected villages do not want to get these fields affected. It is their grievance. The aggrieved people have put many points of their grievances in their petition. I need not repeat them now. But I shall read out one of the important points agreed by a public and chiefs' meeting for the reconsideration of the House. It is a literal translation into English which runs as "About Khopui (Town) :- Let it be in a place where Paddy fields not be destroyed and let it be in place where the Chiefs' village not be interfered. Any person to live in this town is to be well checked up. We agree to make an appeal if it will not be well checked up because this making of the town would cause trouble for the State and the people of the country. If this would not be done we have agreed that this Khopui (town) not be formed." So their main point is to shift the site of the proposed town else where which does not affect paddy fields and the surrounding villages. They also mention that in such a town established in a proper place great care should be taken in checking the intending matters in view of the present condition of the country. Because should an undesirable person be allowed to settle in it he will be a source of troubles in future. We should be vigilant in our administration. Any hon. member may speak on the subject now.

Sgt. AGNEW MINER :- Mr. Speaker, Sir, the question is a very difficult and important one. The chiefs and other brothers object to the construction of the town

at the present site. The construction of the town is good to all. It is a great responsibility of the Government. The Commissioners recommend that the town be constructed at some site where the fields will not be affected, in order to avoid the danger which may arise out of the grievances of the Chiefs. The hon. members may please study the question carefully at home. Then we will make a decision. Hasty decision will not be good.

The Hon'ble the SPEAKER :- Any hon. member to support the proposal?

Mr. TUALCHIN :- Mr. Speaker, Sir, now it is the time for ploughing the paddy fields. If the town is constructed at the proposed site against the wishes of the chiefs, it will be a question of using force. So the construction may be made at another site where the construction will not affect the paddy fields.

Mr. DAMJAKHAI :- Mr. Speaker, Sir, for sending the three special Commissioners to investigate the grievances of the chiefs, the Adjournment Motion was made. As soon as we reached New Churachandpur we called a public meeting. At this meeting the chief said that the construction may be made at a place 5 or 6 miles far from the present proposed site. If there is no objection of the hon. members it may be acted according to what is mentioned in the Commissioners' report.

The Hon'ble Dr. LEIREN SINGH :- Mr. Speaker, Sir, all the places in the hills are under the chiefs. To do against the wishes of the chiefs is not good. So the House may have a full discussion before making any decision. In this connection therefore we must know the actual position of the proposed site. Will it effect the chiefs and others?

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, I think it unnecessary to waste much time on this. The construction of the town is based on some conditions. I have been there many times. The construction of the town will not affect so much. It is the proper place for such construction. We may do according to what is mentioned in the Commissioners' report.

Sjt. ACHOW SINGH :- Sir, I propose that copies of the Commissioners' report be given to all the hon. members so that they may be able to study it. According to the rules it should be given seven days' notice. Of course we may want so much time. not

The Hon'ble the Speaker :- The Hon'ble Minister for P.W.D. has said something regarding the situation. The Hon'ble Chief Minister also has said that it is needless to waste much time in considering this. The Commissioners' report is needless to be perused. It is not the proper procedure. It will be taken up later on. In the meantime as one hon. member has asked for copies and we will distribute copies of the papers.

Regarding the budget the Hon'ble Finance Minister has said that the discussion can be commenced on Monday. I also have discussed with the Hon'ble Finance Minister about the allotment of time by the Council. So what the Hon'ble Finance Minister has said now is to be taken for granted that the Council has agreed with him.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) BILL, 1949.

The Hon'ble the SPEAKER :- Now the Hon'ble Chief Minister will move his 'Essential Supplies (Temporary Powers) Act, 1949.'

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, in moving these bills I beg to say that they have been introduced in every part of India. The Dominion Government wants us to introduce them here also. In the 1st session I moved these bills. But the hon. Opposition Leader suggested so that they might be discussed later on. Copies are with the hon. members. In India there are many things which are controlled by the Government. If these bills are introduced in Manipur we can get these supplies. Regarding the Requisitional lands I should like to say that the Government can requisition any area of land when required. These bills were introduced as ordinances in Manipur also during the last War. These bills are the same as introduced in India. The only alterations made by me are His Highness the Maharajah for Governor-General Chief Minister for Prime Minister etc.

The Hon'ble the SPEAKER :- The Hon'ble Chief Minister will please explain the 1st bill clause by clause.
(The Hon'ble Chief Minister explained).

The Hon'ble the SPEAKER :- Any amendment to the 1st Bill, "The Essential Supplies etc.?"

Mr. LUNNEH :- Sir, though the Hon'ble Chief Minister has explained it clause by clause we may please be allowed to study at home for sometime.

Mr. LUYING :- I beg to support it, Sir. It is important in connection with the Mill areas in particular. So no hasty discussion should be made.

The Hon'ble Dr. LEIREN SINGH :- Mr. Speaker, Sir, though our State is small, we are self-governing people. The previous Government was not democratic. Political Agent could try a man and could make any decision of the case as he liked. Manipur is a part of India. So for its uniformity with India these bills should be introduced. The introduction will mean good to the people of Manipur and Manipur State Government. These are emergency bills. They are not new things. They have been fully discussed by the experts and the proper authorities. So we need not make much delay.

The Hon'ble the SPEAKER :- We have given copies of the bills to the hon. members. The first bill has been explained in Manipuri by the Hon'ble Chief Minister. So it is not good to make much delay. As this is the Budget Session we will take up the Budget first. After finishing the budget we will take these bills. Any other hon. members to speak?

Sjt. ACHOW SINGH :- Sir, as the budget will be discussed first we have got ample time for discussing the bills. In India essential commodities have been controlled. So the introduction of these bills are greatly necessary. But we should like to know if the bills can be amended.

ESSENTIAL SUPPLIES BILL.

Mr. LUNNEH :- Sir, we shall try to know the meaning properly, so that I may know how to table amendments when the discussion takes place.

Mr. LUYING :- Sir, the language of the bills are very difficult. We will study them at home. It is not good to be in haste. So we may pass them after knowing them clearly.

The Hon'ble the SPEAKER :- Any amendments to the bills can be tabled when the discussion will take place. As this is the budget Session we will begin to take up the Budget on Monday next. After we have finished the Budget we will take up the bills. In the mean time hon. members will please study the bills at home very carefully.

Regarding the questions I should like to say that they will be taken up if the hon. questioners come next time.

ADJOURNMENT:

The Assembly then adjourned till Monday the 13th March, 1949 at 10 A.M.

L. TH. Singh,
SECRETARY,
LEGISLATIVE ASSEMBLY,
MANIPUR STATE.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

No. 113

Imphal, Wednesday, August 10, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART I.

Routine Order No. 150 dated 21-7-49.

Mr. Y. K. Shimray is appointed Ukhruil Mail Contractor at the rate of Rs. 170/- per month for the conveyance of the Mail to Ukhruil w. f. 21-7-49.

Time Table for collection of Mails will be as follows:—

UP MAIL.

Dep. (Imphal)	Arr. (Ukhruil)
Dak. Wednesday	Friday
d „ Saturday	Monday

DOWN MAIL.

Dep. (Ukhruil)	Arr. (Imphal)
Dak. Friday	Saturday
d „ Monday	Tuesday

B. Up mail can also be conveyed in two-days provided Mail bag is not more than 25 lbs. or as soon as the road is made motorable.

R. Khating,
Minister i/c Hill
Administration.

PART II.

Council Resolution No. 29 of 27-7-49.

To consider E. M.'s M. No. 536-Edu. dt 19-7-49, forwarding report of Head Master Johnstone High School, about charging centre fee of Rs. 4/- per candidate for making payments to the invigilators and to meet incidental expenses in accordance with the instructions of the Inspector of Schools, Assam valley circle under M. No. 4E/2/34/49 6-6-47.

The Assam Rules be followed.
By order of H. H. in Council.

H. B. S,
Chief Secretary

PART III.

নোটিশ ৪ নং

অসিনা ময়ম ওইহুনা খংহনজরি। অয়াংপল্লি, লমলোং, সিনামচিংজি, নাওয়েমখোং, তেরাকৈথেল, কাকৈথেল, তেরাংখোইখোং অমসুং কোংবাকৈথেল মকমশিং অসিগী অমসুং মফমশিং অসিনা কোনবদা লৈবিরিবা মীশিংনা য়মদা কলগী ইশিং থিনবিনিংলবদি, য়মনাং, মিং অমসুং লৈফম শেংনা ইবিহুনা তাং ৩০।৮।৪৯ ইং ফাগুংবগী মজুংদা কৈশামপাংখোং য়মদা লৈবা অনোবা শংদা ইশিংগী অফিসতা ক্রৈডেনদা দরখাস্ত থাবিরো। দরখাস্ত থাবদা নোটিফী চংলোই। ইশিংগী খাজনাটি টোটি অমদা চহিদা লুপা ২৪ (কুনমরি), মেটর পানবা থোকলগা ইশিং গেলোন ১,০০০ (লিশিং) দা/৯ পাই (পয়সা তরেং) কী হিসাবতা লোগ'ন। নোটিশ অসি ভৌবগী ময়মদি হোজিক লৈরিবা কাংচুপকী ইশিংগী কল অসিদগী ইশিং হেনগংহনবগী উপায় লৈতরহুনা অতোপ্পা মকমলা অনোবা ইশিংগী কল অমা পানখংবগী খোং ভৌবদা খয়চ লুপা লাখ ২০ লোম চংগদবা ওইহুনা, ইশিং লৌবিগদবা মীগী মশিং পংদনা থবক পাইখংপদা থর খুংদোং বিগদবা লৈহুনা ভৌজবনি। অনোবা কল পানখংপা তারবদি মতম কয়াকুকী মজুংদা ওইবা য়াগদগে হায়বা ওমজি, য়াবমখৈদি থুনবা হোংনগনি। এক্সপার্ট কী কিমদি ভৌহুনা লৈরে। থবক্তা পুথোকপা অমসুং শেলগী ময়মগী থবক্তা মজাইরে। ইতি

ইম্ফাল,
তাং ৩০।৭।৪৯ ইং

এ, আই, সিংহ,
মিনিষ্টর ইন চার্জ সেক
গভর্নমেন্ট (ইশিংগী অফিস)
মনিপুর হেট।

MANIPUR STATE ASSEMBLY

BYE-ELECTION OF ULOU CONSTITUENCY

NOTICE OF LIST OF VALID NOMINATIONS.

It is hereby notified for general information that the following nomination papers have been accepted for the bye-election of the Uluou Constituency :—

Serial No. (Alphabetically arranged)	Name of the Candidate.	Address of the candidate.	Symbol assigned to the candidate.
1.	Khumukcham Kuber Singh	Changangei	Hut
2.	Naosekpam Chandra Singh	Awang Phoiing	Horse
3.	Mongjam Iboton Singh	Laitonjam	Elephant
4.	Rajkumar Mani Singh	Kwakeithel	Umbrella
5.	Samurakpam Gopal Sarma	Laimapokpanu	Lotus
6.	Haobam Amuba Singh	P. Tai-kul	Cart

Dated Imphal,
2nd August, 1949.

Sd/- P. C. Deb,
Returning Officer,
Manipur State.

NOTICE.

It is hereby given for the public information that applications with Rs. 10/- are invited as fees which is not refundable, for registration as reliable Contractor for State P. W. D. for the year 1949-50. The fees in Cash to be deposited previously to the State Engineer's Office and the official receipt must be attached to the application.

Tenders will be received from those registered Contractors only.

If any one whose name has not yet been registered but want to submit tender he is to get his name registered before submitting tender, else his tender will not be considered for acceptance.

If any registered Contractor refuses to do any work after the acceptance of his tender and do any irregularity his name will be blacklisted.

Applications will be received by this Office upto 17th August, 1949.

Dr. L. Singh,
P. W. D. Minister.

PART IV.

PROCEEDINGS OF THE THIRD SITTING OF THE SECOND SESSION (BUDGET SESSION) OF THE FIRST STATE LEGISLATIVE ASSEMBLY ASSEMBLED UNDER THE PROVISIONS OF THE MANIPUR STATE INSTITUTION ACT, 1947.

The Assembly met in the Assembly Chamber in the Johnstone High school premises on Monday the 13th June, 1949 at 10 A.M.

PRESENT:

The Hon'ble Mr. T.C. TIANKHAM, the SPEAKER in the Chair, the Hon'ble 7 Ministers and hon. 26 Members.

The Hon'ble the SPEAKER :- I have received from Mr. Suisa an application asking leave of absence from the Assembly on account of illness. If there is no objection of the hon. members I declare it granted.

As regards admission of press representatives and visitors to the Assembly, we used to be rather lenient hitherto being beginners. But this leniency has been found to have been abused, for instance, some people have been found entering the House without any authorisation. I have given the Secretary certain instructions in this regard and he will act accordingly. In our Business Rules no definite rules are laid down on the account. But it is left to the Chair. So I have given instructions to the Secretary and my instructions which conform to sections 2, 4, 10 and 20 of Appendix G of the Assam Legislative Assembly Manual are as follows :-

"2. APPLICATION FOR GALLERY TICKETS :- Applications for tickets of admission to visitors' galleries for persons other than accredited reporters of newspapers and recognised news-agencies will have to be addressed to the Secretary in the prescribed form obtainable by a member of the Assembly from the Ticket Issue Room of the Assembly Department.

4. Time Limit for receipt of applications:- Such applications should reach the Ticket Issue Room at least two clear days before the date of admission. The Assembly Department will receive such applications on every working day till 2 P.M. Applications received after 2 P.M. on a particular day will be considered to have been received on the following day.

10. (a) DATE FOR ADMISSION :- In all cases the date for which admission is asked for should be clearly mentioned in the application.

(b) ONE APPLICATION FOR ONE DAY ONLY :- Applications for tickets of admission for each day should be separately made; one application for issue of tickets for more than one day shall not be considered.

20. VALIDITY OF A TICKET OR A PASS :- On no ground shall tickets for one day be valid for another day."

The Assembly is a national Institution and as such press representatives will be strictly honest and accurate while reporting proceedings of the Assembly. They have published that on 7.6.49 I started with the medical report about Sjt. Giri Singh M.B.A. But in fact I started with the item namely, "The assent of His Highness the Maharajah to Emoluments Bills" which was left over on 6.6.49. Next I read out leave application of Sjt. Ibctorbi Singh. It was only in the third item I took up the medical report about Sjt. Giri Singh. I also did not say "I cannot turn out Mr. Alimuddin from the Assembly", as reported by the NGASI on 10.6.49. All that I said about him was that I wanted to consult legal opinion first as I was in doubt, because I was not versed in law. So we find false reports of the press. This kind of perverted press report in the papers is highly objectionable. This goes against the honour of the press itself and against the House as well. This House has got full power to take proper actions against such reporters.

Coming to Mr. Alimuddin's case, I also draw the distinction between his case and that of Sjt. Angahal Singh. In the case of the latter the Assembly got no information that he preferred appeal and therefore the Assembly at once could declare his seat vacant. Whereas in the case of Mr. Alimuddin the Assembly got information that he has preferred appeal against the decision of the Election Tribunal under section 36 of the Courts Act, 1947 to His Highness the Maharajah and therefore I hesitated to make a definite ruling offhand in regard to his case. So I decided to

consult the State Legal Adviser in the matter. Hence the fact that I kept the matter pending for some days did not imply that I was ignoring the decision of the Election Tribunal. Some hon. members and some reporters also say that it affected the dignity of the House. In the Assembly of other places also very often some Speakers put off their rulings for a few days or hours whenever they had doubts. If therefore the dignity of these Assemblies are not lowered by the pending rulings of their Speakers there is no reason why the dignity of our Assembly should be lowered by my pending ruling. This is usual practice everywhere. Hence the question of lowering the honour of the House does not arise at all.

The reason for my mentioning of a legal adviser on that day was this. So far as I know under the Government of India Act, 1935 the Advocate General of India, who is to be known as the Attorney General of India according to the Draft Constitution of India, attends the Legislative Assembly sittings and gives legal advice whenever necessary. The only thing is that he does not have the right to cast vote vide section 63 (2) of the Draft Constitution of India says -- "It shall be the duty of the Attorney-General to give advice to the Government of India upon such legal matters and to perform such other duties of a legal character, as may from time to time be referred or assigned to him by the President, and to discharge the functions conferred on him by or under this Constitution or any other law for the time being in force." Section 72 of the same Constitution says -- "Every Minister and the Attorney-General of India shall have the right to speak in, and otherwise to take part in the proceedings of, either House, any joint sitting of the Houses and any committee of Parliament of which he may be named a member, but shall not by virtue of this article be entitled to vote." So naturally one could not but be misled to think offhand in this light when there is a Council Resolution which seemed similar to this. That is the C.R. No. 35 of 30-3-49 which reads as:

"To consider selection of a Legal Adviser.

Until the A.B. has selected a Legal Adviser His Highness' L.R. will be asked to work as adviser to the Council and Assembly at a remuneration of Rs.300/-P.M. w.e.f. 4.4.49 over and above what the present L.R. is getting from His Highness.

By order of H.H. in Council?

After comparison of the Draft Constitution of India and the Manipur State Constitution Act, 1947 no provision was to be found in the Manipur State Constitution Act by which the Legal Adviser so appointed by this C.R. can be engaged by our Assembly in the same way as the Advocate or Attorney-General of India is engaged by the Central Legislative Assembly. This is why I have not brought the Legal Adviser here today. Hence my making a mention of the Legal Adviser in no way can bring down the dignity of our Assembly. So in future no perverted or one sided reports can be circulated. This is my warning to the press gallery in particular.

I have this morning just received a copy of Memo No. 2509-P.S.1. of 13.6.49 from His Highness the Maharajah regarding Mr. Alimuddin's case. This letter is not addressed to me direct. It is a mere copy of His Highness' to Manipur State Congress in the matter. I hope the Hon'ble Chief Minister has received a similar copy.

The Hon'ble Capt. P.B. SINGH :- No, Sir, I have received it.

The Hon'ble the SPEAKER :- As this House is not a House of law experts, we cannot give a ruling as to whether Mr. Alimuddin is entitled to file an appeal or not. As the letter of His Highness mentioned above is only a copy sent to us for information, we cannot take any definite action on its strength. In the case of Sjt. Irem Singh and Sjt. Angahal Singh it was not difficult to give a ruling as their cases are clearly provided for in the Business Rules. But it was rather difficult to do so in the case of Mr. Alimuddin's case offhand as explained above. If his appeal turns out to be successful he will be welcome to come back to the House. Hon'ble Members also will remember that in the cases of Sjts. Angahal Singh and Irem Singh, I took the consent of the House and with its unanimous consent, I declared their seats to be vacant. Similarly in the case of Mr. Alimuddin, I propose to take the sense of the House.

Sjt. ACHOW SINGH :- Mr. Speaker, Sir, I have the letter from His Highness just read out by the Hon'ble Speaker is now before me for consideration of the House. It is an important document and as such it may please be translated into Manipuri for the information of the House. This election case has been decided by the Election

Tribunal. Is the Tribunal a higher court or a lower one? Is their decision not final? If their decision is final Hon'ble Speaker may please give a ruling in the House. His Highness' intervention here is unnecessary. It is upon the Hon'ble Speaker to give such a ruling. If such a ruling is not given them it will have a bad precedent.

(His Highness' letter is read out and translated into Manipuri).

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, I received this Election Tribunal decision on 7.6.49 at 9 A.M. As it was late I could not discuss it with other Hon'ble Ministers. On this day hon. members of the opposition party walked out of the Assembly Chamber enbloc. We are very sorry for that. Budget Session is in progress now. We expected healthy criticism of the Budget from them. We expected a great help from them. On that day we heard a ruling of the Hon'ble Speaker that he wanted to consult a legal opinion first. Whether the decision is wrong or right, the Hon'ble Speaker is our head. So we should obey his ruling. I am sorry to hear that some people thought that the Hon'ble Speaker, the Council and His Highness beforehand discussed this matter and therefore the Hon'ble Speaker did not give ruling on that day. But I want to make it clear to the hon. members that this is absolutely baseless. In fact, I did not get the information till 9 A.M. on 7.6.49 as pointed out above. So let us try to be free from such bias supposition. On the other hand it is being the first Budget drafted by the first Popular Government of Manipur State we expect healthy criticisms of the budget from the Opposition Party. But we are very sorry that the Opposition had left the Assembly. So such suspicion is entirely baseless and it is far from the reality of the fact.

The Hon'ble Dr. LEIREN SINGH :- Mr. Speaker, Sir, regarding the case of Mr. Alimuddin, Minister for Jail, the Hon'ble Speaker also pointed out section 57 of the Constitution Act which says that if doubt arises on any legal matter it may be referred to a Higher Authority. The Constitution Making Body at the time of making this Constitution knew that such misunderstandings might occur from time to time. This is why they made this provision. Is the Election Tribunal the final election court? No clear indication to that effect exists in the Act. But section 36 of the Courts Act has provided that appeals can be preferred. Is the Tribunal a lower Court or a higher Court? This too is not clearly indicated in the Act or in the Courts Act. If the tribunal is a lower court the Higher Court will review the case accordingly to the records of the lower court i.e. the Tribunal. Mr. Alimuddin has appealed. So until a decision of the higher authority is forthcoming he should sit in the Assembly Chamber.

Sjt. ACHOW SINGH :- Mr. Speaker, Sir, I strongly object to what the Hon'ble P.W.D. Minister has said that the matter might be referred to a higher authority outside the State. He has also said that the Act has provided to that effect. In this connection I should like to say that the Assembly is the Sovereign Body in the State. The Head of this Sovereign Body is the Hon'ble Speaker. So we expect a definite ruling from the Hon'ble Speaker in the matter.

The Hon'ble the SPEAKER :- I have said several things on the subject on 7.6.49. I also have explained the reasons for my putting off my ruling on that day for today. So far as legal court is concerned I am not a Judge. I am simply to read out what a law court has decided. However, as I have pointed out, I postponed my ruling as difficulties arose on account of the defects in the Manipur State Constitution Act. Such difficulties may arise in future also due to the defects of our Constitution. Hence this may not be the only difficulties. If we want to be free from such difficulties some members may propose amendments. Until it is amended we have to go on as we think it best. Before I give my definite ruling I will read out a letter just sent to me now and received by my clerk at 10.10 A.M. This is from the Opposition Leader.

(Read the letter and translated into Manipuri).
To be continued.



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

No. 111

Imphal, Wednesday, July 27, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART I

The 18th July 1949.

M. S. Home Dept. Notification No. 1/app/49.

Sree Suresh Chandra Bardhan B. A., B. L. has been appointed public prosecutor and Govt. pleader of the Manipur State on pay scale of Rs. 200-10-250 P. M. on probation for one year under A. B. R. No. 1 of 20-5-49 read with C. R. No. 3 of 22-6-49.

Initial,

for Secy. Appt. Board.

The 8th & 9th July 1949.

M. S. Home Dept. Notification No. 1/app/49.

Under A. B. R. No. 2 of 8th & 9th July 1949 Sjt. L. Tomcha Singh, M. A., Sjt. M. Meghachandra Singh, M. A., and Sjt. Hidangmayum Modhumangal Sarma M. Sc. have been appointed professors of English, Economics and Mathematics respectively in the D. M. College on Rs. 150/- P. M. each. They will remain on probation for a period of 2 years.

A. B. R. No. 3 of 8th & 9th July 1949. In view of the admission made by R. K. Birendrajit Singh that he has not passed the Matriculation from any Indian University and that he is no Jhalukbari trained, his appointment of 12-4-49 as Amin in the Land Revenue office is set aside. In the vacancy thus created Sjt Thokchom Charuchandra Singh of Singjamei Thokchom Leikai, is appointed as Amin.

Under A. B. R. No. 4 of 8th & 9th July 1949 the appointment of Sree Ranjit Kumar Bose B. Sc., B. T. as senior Teacher of Science of Johnstone High School on a contract basis for 3 years, has been made permanent.

Under A. B. R. No. 5 of 8th & 9th July 1949 Sjt Kh. Nilmani Singh has been appointed collection Mohorir on pay scale of Rs. 15-1-25-2-35 in Jiri Mauzadar's office.

A. B. R. No. 6 of 8th & 9th July 1949. To reconsider A. B. R. No. 11 of 20-5-49 regarding seniority between Th. Gunendra Singh and L. Gulamjat Singh of Chief Court.

Service Books perused and the Auditor's report seen and their arguments heard.

According to the cadre list Sjt Gunendra Singh is senior to Sjt Gulamjat Singh. Sjt Gulamjat Singh claims seniority as he got higher grade pay earlier sometime on 27-6-1939 while Sjt Gunendra Singh got that grade on 3-1-1943 and further that this higher was obtained while Sjt Gulamjat Singh was serving in another Dept. In the cadre list prepared in 1946 Sjt Gunendra Singh is listed senior to that of Sjt Gulamjat Singh. Sjt Gulamjat Singh should have taken steps to have the list corrected. This being so it is presumed that cadre list was prepared after due consideration of every thing connected with any individual cases. Under the circumstances Sjt

Gunendra Singh is held to be senior to Sjt Gulamjat Singh.

Under A. B. R. No. 7 of 8th and 9th July 1949 Sjt Oinam Nando Singh and Sjt Thingujam Tombi Singh of Land Revenue Office have been appointed 3rd grade clerks for Revenue Tribunal Office and Imphal West Tahsil respectively.

A. B. R. No. 8 of 8th and 9th July 1949. To consider H. H.'s Memo No. 1818 PI-IV of 28-2-49 forwarding an appeal of Sjt R. K. Manisana Singh against the appointment of Sjt Kh. Brajamohon Singh as the Tahsildar of Thoubal Tahsil.

The candidates in the case were interviewed and heard at length by the Board. The claim of Sjt R. K. Manisana Singh that he has been working temporarily as Tahsildar was duly considered. It was after very careful consideration of all the matter that the Appointment Board had appointed Sjt Kh. Brajamohan Singh as Tahsildar. While showing every respect of His Highness's view, the A. B. feels that this is not a fit case for review of the order already passed.

Under A. B. R. No. 9 of 8th & 9th July 1949 Sjt N. Budhachandra Singh B. A., Teacher of Tamphasana Girl High School has been appointed Assistant Inspector of Excise on Rs. 75/- P. M. He is to undergo training for the purpose.

Initial

For Secy. Appt. Board.

PART II

Council Resolution No.4 of 6-7-49.

To consider Hill M's report dated 6-7-49, asking that cart tax on potatoes exported from Manipur may be exempted.

An Ordinance on the following lines be issued with immediate effect:—

Whereas a situation has arisen requiring the removal of cart tax on potatoes being exported from Manipur. His Highness the Maharaja has been pleased to pass an order in exercise of powers under section 81 of the Constitution Act of Manipur 1947 that cart tax on such potatoes be exempted from payment of such taxes. Action be taken in anticipation of H. H.'s approval.

Approved by H. H. vide Memo No. 73 P.1/49-50 of 13-7-49.

Council Resolution No. 22 of 20-7-49.

To consider stoppage of publication of the daily local Newspaper "NGASI".

While always welcoming constructive and healthy criticisms the Council feel that the articles published in the "NGASI" in its recent publications cannot well be said to be within the limits of journalism and the Council have decided to withdraw reluctantly their permission granted to the said paper under C. R. No. 5 of 14-7-48 with immediate effect.

By order H. H. in Council.

Council Resolution No. 15 of 13-7-49.

To consider Bank Manager's Ref. No. Miss/1001/49 dt. 4-7-49, asking that the following charges may be made on the Textile goods over ex-mill prices:—

- (i) Procuring Agent commission...13%
- (ii) Bank commission ... 1%
- (iii) State handling commission ... 2%
- (iv) States distribution commission ... 4%
- (v) Petty dealers commission ... 5%

Approved.

By order H. H. in Council.

H. B. Singh,
Chief Secretary.

PART III

Agricultural Office Notice No. 1 of 1949-50.

It is hereby notified that the State Agricultural Department is going to depute one student in Entomology training course for a period of two years at the Indian Agricultural Research Institute, New Delhi at a monthly stipend of Rs. 50/- for controlling insects, pests and diseases of vegetables and plants.

Desirous candidates to undergo the training are asked to apply to the undersigned on or before 9-8-49 and to interview with him at 10 A. M. (I. S. T.) on 10-8-49 at Agrl. Office, Imphal.

None need apply except those who passed
 10 B. Sc. with Zoology and Chemistry
 s optional subjects or he must be a degree
 r diploma holder in Agriculture.

Manipuris outside Manipur State are
 also eligible to apply. The State is not
 prepared to defray the journey expenses
 for interview.

Agricultural Minister,
 Manipur State.

(FOR THE GAZETTE OF INDIA EXTRAORDINARY).

No. D. 5939-Eur/48.
 Government of India.

Ministry of External Affairs and Commonwealth Relations.

Dated New Delhi 3, the 16th Feb. 1949.

NOTIFICATION.

It is hereby notified for general information that the State of War between India and Austria ceased to exist on the 16th Feb. 1949.

The Government of India bearing in mind that on 13th March, 1938 Austria was forcibly incorporated into the German Reich.

That on 3rd September 1939 a State of war was notified with the whole of the German Reich.

That active hostilities were ended by the declaration regarding the surrender of the German Reich issued on the 5th June, 1945.

That steps were then taken for the establishment of a free and independent Austria.

That through circumstances beyond Austrian control it has as yet proved impossible to conclude a Treaty which would dispose of questions relating to Austria arising out of the State of war with the German Reich have determined that without prejudice to the provisions of the said Declaration regarding the surrender of the German Reich or of the Agreement of the 28th June, 1946, relating to the Control Machinery for Austria or to the decision of questions the Statement of which must await the conclusion of a Treaty, the formal State of war between India and Austria shall be immediately terminated and the relation between themselves and the Austrian Govt. forthwith brought into conformity with the amity which existed between them before the above mentioned incorporation of Austria into the German Reich.

The Government of India for the present reserve the right to retain any money or property subject to control by virtue of trading with the enemy legislation or in the custody or any prize court, but no obstacle will be placed in the way of the acquisition of property after this date or of the immediate resumption of full commercial and financial dealings between India and Austria.

The Government of India must also for the present continue the suspension of the enforcement or settlement of contracts concluded before the war between persons in India and persons in Austria but contracts concluded after 16th February 1949 will be in the same position as contracts concluded with persons in any friendly country and no obstacles will be raised in connection with them by reason of the fact that a formal state of war has previously existed between India and Austria.

Sd/-P. A. Menon.
 Joint Secretary to the Government of India.

**PROCEEDINGS OF THE SECOND SITTING OF THE SECOND
SESSION (BUDGET SESSION) OF THE FIRST MANIPUR STATE
LEGISLATIVE ASSEMBLY ASSEMBLED UNDER THE PROVISIONS
OF THE MANIPUR STATE CONSTITUTION ACT, 1947.**

The Assembly met in the Assembly Chamber in the Johnstone High School premises at 10 A. M. on Tuesday the 7th June, 1949.

PRESENT:—The Hon'ble Mr. T. C. Tinkham, the Speaker, in the Chair, the Hon'ble 7 Ministers and Hon. 38 Members.

The Hon'ble the Speaker:—Yesterday an item of business namely the assent of His Highness the Maharajah to the Emoluments Bills was left out. So this will be the first item to be taken up today. If there is no objection I declare that the said Bills have now become Acts. I shall write to the Hon'ble Chief Minister in connection with the last Gazette wherein these Acts were mentioned.

Sjt. Nimaichand Singh has submitted an application asking for yesterday the 6th June, on account of his grand-mother's Shradha Ceremony. I declare the leave granted.

Also I have received from Chief Medical Officer a report regarding the health of Sjt. Kh. Giri Singh, M. L. A. The purport of the report is that as Sjt. Giri Singh is suffering from T.B. he may be relieved of any job if he holds at present and allowed complete rest. The said hon. M. L. A. has also applied for leave for the whole of the Second Session. Since the leave asked for is rather long, I request hon. Members to state their objections, if any, to granting the leave.

The Hon'ble Dr. Leiren singh:—Mr. Speaker, Sir, as the report comes from a highly placed medical expert and as the disease is a serious one there should be no objection to grant Sjt. Giri Singh the leave he applied for. We pray that he will come round soon and rejoin us to serve the people.

The Hon'ble the Speaker.—As there is no objection, I declare the leave granted.

Sjt Achow Singh:—On a point of order, Sir, may I know if the medical report has been read out ?

The Hon'ble the Speaker :—Yes, it has been read out. Time for debate on this item has lapsed. Please sit down.

A paper namely Judgment Copy has been received from the Election Tribunal for information and necessary action. This relates to election case No 3 of 1948-49 between Mr. P. Atoyaima Singh of Chajing, plaintiff VS. Mr. Md. Alimuddin and Sjt. A. Kala Singh. The verdict of the Election Tribunal is that the election of Mr. Alimuddin is void. I will now read out the copy. (reads). Mr. Alimuddin has submitted to me a petition asking that no debate be held in the Assembly regarding his election case stating that he has preferred an appeal under section 86 of the Manipur State Courts Act, against the decision of the Tribunal. I would like to point out a difference between this case and that of Sjt Angahal Singh. In the case of the latter we were not informed if there was appeal and hence his seat could be declared void at once at the unanimous consent of the House. But in this present case Mr. Md. Alimuddin has informed us by writing that he has preferred an appeal to His Highness the Maharajah under section mentioned above of the Courts Act. Hence according to the Manipur State Legislative Assembly Rules 13 (IV) I think there can be no debate on this matter and therefore without reference to a legal expert it is not proper to announce his seat void now. The Council recently have appointed a legal expert to act as adviser to the Council and the Assembly. I think I shall first take his legal advice as there is no legal expert in the House. The case may be kept pending till such an advice is received.

Continued —



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

o. 110

Imphal, Wednesday, July 20, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

C. F. 1/2/49

Dated 9-7-49.

Manipur State Government have made the following rules under Section 27 of the Court Fees Act, 1870 :—

(1) All the blocks of the State Court Fee Stamps whenever taken out from the treasury should be kept under the custody of both the hon'ble Press Minister and S. S. P.

(2) Printing of the stamps should be done in presence of both.

(3) They should jointly certify the number of each kind of stamps printed, keep them in their charge before despatch to the Home Office and again certify the number of printed stamps destroyed as unworthy of use due to bad printing and wrong perforation etc.

(4) S. S. P. will maintain a register wherein will be recorded (a) description of stamps indented (b) stamps printed (c) stamps destroyed etc. whereas Home Secretary also will maintain a register showing (a) stamps received from S. S. P. (b) stamps issued and sold to offices and vendors.

(5) The State vendors in Imphal should get stamps from the Home Office on payment for sale to the public. As regards offices outside Imphal the responsible officers should themselves indent stamps from the Secy. Home Department who will be the controlling officer for issue and sale of the Court Fee Stamps. For this purpose a ledger account should be maintained in the Home Office. These officers should verify the balance of stamps with them at the end of each month and submit a statement monthly to the Home Office showing the opening balance, receipt, issue closing balance and the commission allowed to vendors and the amount credited to the State Bank so that ledger accounts in the Home Office may be verified with the statement.

(6) The balance of the stamps in the Home Office will be verified by the hon'ble Minister i/c Home Department from time to time at the end of each month or at any such time as he finds convenient.

(7) All the rules will have the force of law from the date of publication in the State Gazette.

By order of the Council
P. B. Singh,
Home Minister, Manipur State.

Council Resolution No. 10 of 22.6.49.

To consider Chairman, Local Self Government Committee report dated 22-6-49, asking for sanction to the amalgamation of Cycle Tax Staff to the L. S. G.

The vehicle tax which is a tax on cycle be now made part of Local Self Govt. and placed under the Minister i/c of that department.

Approved by H. H. vide Memo No. 2622 P. I-I. dt. 30 th June, 49.

Council Resolution No. 6 of 6.7.49.

To consider C. M.'s proposal about the construction of a bandstand on Chinga Hill for the use of the public by Sjt. Chongtham Iboyaima Singh of Singjamei at the cost of about Rs. 2,000/-.

The Council appreciate the generous offer made by Shri Chongtham Iboyaima Singh by constructing a bandstand for the State Government at his own cost and place on record his public spiritedness.

By order of H. H. in Council.

Council Resolution No. 26 of 13-7-49.

To consider Hon'ble Dewan's remark dated 6-7-49, about the arrest of Sjt. Irabot Singh.

Reward for arrest of Sri Hijam Irabot Singh, is raised from Rs. 200/- to Rs. 1,000/- in supersession of previous C. R.

Anyone harbouring Sri Hijam Irabot Singh, obstructing or attempting to obstruct his arrest will be prosecuted under appropriate provision of Law.

By order of H. H. in Council.

H. B. S.,
Chief Secretary.

PART III**PRESS NOTE.**

The following extract form the letter of Deputy Commissioner, Naga Hills Memo No. A/11/7/607 T. A. dated 24-6-49 to the Manipur State Bank Ltd, is being reproduced here for general information :— " With reference to your letter No. TSY/952/49 dated the 18th June 1949, it is to inform you that until the accumulation of Coins in the Currency is cleared no further remittance in Coins can be accepted."

Issued by
Publicity Officer,
Manipur State.

NOTICE.

Sealed tenders are again invited with the desire of the Council for supply of the following dieting articles to the Medical Department for In-Door Patients for the year 1949-50 i. e. upto 30-6-50.

1. Articles are to be supplied every day according to requirements.
2. Monthly payment will be made on submission of bills for the articles supplied.
3. The successful tenderers will have to deposit a sum of Rs. 300/- to the Medical Department as security before signing the tender accepted.
4. The money deposited will be returned to the depositor when the contract term is over without interest.
5. The contract will be cancelled if any failure occur at any time and the amount deposited will be forfeited to the State.
6. Articles to be supplied :—

1. Rice (good quality).	Rate per Maund
2. Dal (Mug, Musori).	do do
3. Ghee.	do do
4. Mustard Oil	do do
5. Masala (Mixed).	do do

6. Raw Fish (Porom, Ukabi).	Rate per Maund
7. Vegetables.	do do
8. Potatoes.	do do
9. Chillies.	do do
10. Fire-Wood.	do do
11. Sagu.	do do
12. Salt.	do do
13. Sugar.	do do
14. Milk.	do do

Approximate requirements per month will be of 100 patients. Seperate tender for only milk supply and supply of diet at Khuga and Thanlon Dispensaries will be accepted.

The tender will be accepted by the undersigned to the Office of the Medical Department upto 12-0 Noon of 30th July 1949.

The undersigned is not bound himself to accept the lowest tender and to assign reason for not accepting any tender.

P. B. Singh,
Medical Minister, Manipur.

PROCEEDINGS OF THE FIRST SITTING OF THE SECOND SESSION (BUDGET SESSION) OF THE FIRST MANIPUR STATE LEGISLATIVE ASSEMBLY ASSEMBLED UNDER THE PROVISIONS OF THE MANIPUR STATE CONSTITUTION ACT, 1947.

The Assembly met in the Assembly Chamber in the Johnstone High School premises at 9. 16 A. M. on Monday the 6th June, 1949.

PRESENT

The Hon'ble Mr. T. C. Tiangkham, the Speaker, in the Chair, the Hon'ble 6 Ministers and Hon. 34 Members.

The Hon'ble the Speaker :—Hon. members, I am so glad to meet you again after a long prorogation. According to the wishes of His Highness the Maharajah today's sitting was to have begun at 9.16 A. M. But the number of hon. members present at 9.16 A. M. could not reach the quorum. So the sitting could not start at the scheduled time. Hon. members will please come in time in future. The List of Business and the draft Bndget could not be distributed to the Hon. Members in time. This is because the Government could not draft the Budget in time owing to pressure of works and no List of Business could not be prepared without the Draft Budget. So we could not give the hon. members proper notice. The Government and the Assembly are for us all. So we should not mind such delay.

Here is an address from His Highness the Maharajah. I am reading it out. (read)

The Hon'ble Dr. Leiren Sing :—Mr. Speaker, Sir, I beg to move a vote of thanks to His Highness for the very kind and informative message we have just heard.

The Hon'ble Sjt. Ibotomcha Singh :—I beg to support it, Sir.

The Hon'ble Sjt. IBETOMBI SINGH :- I beg to support it, Sir.

The Hon'ble the SPEAKER :- We thank His Highness for his kind address. His Highness has given us a very good and important message which we all of us might not know. When His Excellency the Governor of Assam came here different parties and individuals met him. Now we have received the happy result of those interviews. Let us convey our thanks to His Highness.

Here is an application from Sjt. Kh. Ibetombi Singh asking for 7 days' leave. I declare it granted.

Here is His Highness' Order No. 13 P of 1949 regarding the appointment of Major-General Raval Amar Singh as the Dewan of Manipur. I am reading it out (read)

According to the parliamentary practice I shall now read the names of the members of the several Committees or office-bearers nominated by me in the last session under the section of the Rules of Business noted against them. They are :-

TEMPORARY CHAIRMAN under section 7(1) :- Sjt. Ch. Pisak Singh, Mr. Lunneh, Sjt. L. Achow Singh and Mr. S. Mikea.

COMMITTEE ON PETITIONS under section 114(1) :- Deputy Speaker - Chairman, Sjt. L. Achow Singh, Sjt. E. Tompok Singh, Sjt. Kh. Chaoba Singh and Dr. L. Kampu.

HOUSE COMMITTEE (under section 128) :- Speaker - ex-officio Chairman, Sjt. Kh. Ibetombi Singh, Sjt. S. Somorendra Singh, Sjt. Th. Shyamo Singh, Mr. R. Suisa, Mr. L. Hungyo, Mr. Suleiman Mia and Secretary of the Assembly, as Ex-officio Secretary. I confirm all these for this Session also.

Under section 104 of the Business Rules a Committee on Public Accounts which ought to have been formed in the previous session has got to be formed now. The duties of such a Committee are set out in section 105 of the Business Rules. In brief, it will examine such trading and manufacturing and profit and loss accounts and balance sheet as the Council may have required to be prepared, and Resident Auditor's Report thereon and to consider the report of the Resident Auditor in case where the Council may have required him to conduct an Audit of any receipts or to examine the accounts of stores and stocks. Members of this Committee will be selected by means of Single Transferable vote which has been so desired as to ensure proportional representation. The Secretary of the Assembly will act as the Returning Officer. Nomination papers will please be submitted by the intending candidates to the Secretary in the Assembly office on 15.6.49 (Wednesday) during working hours, and election will be held on 25.6.49 (Saturday). For details about the rules or procedure in this behalf may be referred to the Assembly Secretary.

Owing to pressure of work and other difficulties, as I have already stated, copies of the Draft Budget and the List of Business could not be distributed in time to the hon. members. Therefore in order to give time and preparation to the hon. members I would adjourn today's sitting till tomorrow at 10 A.M.

ADJOURNMENT

The Assembly then adjourned till Tuesday the 7th June, 1949 at 10 A.M.

L. TH. Singh,
Secretary,
Legislative Assembly, Manipur State.

1000 No 11 E S/V
26.7.49

The Manipur



State Gazette

EXTRAORDINARY

PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

G. 109-E-13

Imphal, Wednesday, July 13, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

Council Resolution No. 5 of 13 7-49.

To consider framing of rules under the Press and Registration of Books Act, 1867.

In exercise of powers conferred under Sec. 20 of the Press and Registration of Books Act, 1867 the Council frame the following Rules. Action will be taken in anticipation of H. H.'s approval and the Rules published in the State Gazette immediately.

RULES :—

Every editor of a newspaper shall publish it within the limits of journalism. If it goes beyond the limit of journalism, the publication can be stopped and also its editor prosecuted under section 15 of the Press and Registration of Books Act, 1867.

EXPLANATION :—

Limits of journalism mean and include any attack upon the Ruling Prince, Members of the Government and all State officials without any reason whatsoever. The Council shall decide whether there was any reason and their decision shall be final.

H. B. Singh,
Chief Secretary.

Rd. No. 751 E. 412
16 m. 47

The Manipur



State Gazette

PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

No. 107

Imphal, Wednesday, July 6, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II

C. F. 1/1/49 dated 4-6-49.

Manipur State Government have made the following Rules under Section 34 of the Court Fees Act 1870 :—

(a) Any person appointed by the Government as a stamp vendor shall be the person by whom alone the sale of court fees stamps is to be conducted and he shall get the commission of one pice per rupee of the value of stamp.

(b) At the time of sale of court fees stamps every vendor so appointed should write in his own hand on every stamp the date on which such stamp is sold along with the name and the residence of the person for whom the stamp is meant to be sold and used and it shall bear the signature of the stamp vendor.

These Rules reiterate section 34-clause (3), Court Fees Act 1870 for the general information as follows :—

Any stamp vendor who disobeys any rule made under clauses (a) & (b) and any person not so appointed who sells or offers for sale of any stamp shall be punished with imprisonment which may extend to six months or with a fine which may extend to Rs. 500/- or with both.

By order of the Council.

P. B. Singh,
Home Minister, Manipur State.

PART III

অসং বাজে ১১ নং
মহা মণিম শ্রীল শ্রী শ্রী গোবিন্দজীউ ব্রহ্মসভাগী ব্যবস্থা পত্র

- ১। শ্রী অরিন্দম নরহরি শর্মা
- ২। শ্রী গৌরকিশোর শর্মা
- ৩। শ্রী হইজোম ভোলেনসিংহ অসিনচিংবা সাং গীতম
হইজোম লৈকাই প্রকাশি প্রার্থীগণ

কারণ

কংগ্রেসনা হইজোম অমুখী সাহেব ওংবীবু শেংদোকপে।
অমুখীবু উসব মেলাদা ভিন্নবা রাই রাংদে ডাকপীম্বু হারনা
কাউনসিলনা লৈকাইনা তাং ১৬৫১৪২ ইংদা দরখাস্ত থাং,
মেমো নং ১১৫৭৮ সি/ওরিজিনেল তাং ১৬৫১৪২ ইংদা পি
এসতা পাণ্ডোরকপা পি এসনা মেমো নং ২৪১৯ পি ৫-২
তাং ২৬৫১৪২ ইংদা অঃ সঃ দা পীরকপা।

ব্যবস্থা

দরখাস্তকারী লৈকাইগী জবাল লৌহুনা মহা তারে।
হইজোম নিঙোল শ্রীঅমুখী অসি মণিপুৰী হিন্দু মুণীনি
অমন্তুং সাহেবতা (বৃত্তিহীন) মন্তুং পাল্লবীনি হারবা
প্রমাণ ওইরে। মুসলমান্দা অমন্তুং বৃত্তিহীন্দা ওংহুনা জাং
ভাং নিপা মুণীদি জাং তারে অমন্তুং মাংলে হারবগী
নোটিশনচিংবা ভেজবন্তু জাং তারবদি মাংলে হারনা
খংনবসি মহোশাদগী চংসরক্রে।

মী অমা মাংলে হারবা অমন্তুং মী অমা শেংলে
হারবগী ক্রমতাদি শ্রীবুং অমন্তুং ব্রহ্মসভাগী ক্রমতানি।
শ্রীবুং অমন্তুং ব্রহ্মসভাগী হকুম নন্তনা, শ্রীবুং অমন্তুং ব্রহ্মসভাগী
হকুম চে রাঙদনা মী অমবু খাংহনবা অমন্তুং শেংদোকপা
রাংদে। মরম অসিনা উক্তা শ্রীঅমুখী অসি জাংতারবা
অমন্তুং সাহেবতা ওংলুবা ওইবনা শেংবা রাংদে। মাবু
(অমুখী) চাংবা থকপনচিংবা প্রাথোইগী সমাজনা ভিন্নবা রাংদে
হারনা ব্রহ্মসভাগী হকুম ভেংরে। কোপী অমমম চিক

মিনিস্টাৰ হোমৰ, ভাগ্যবতী প্ৰেচভা, প্ৰাৰ্থন লৈকাইদা
বাথো। ইতি ১৭/৬/৪৯ ইং

- সহি অী বাপুচাওবাশৰ্মা আচাৰ্য্যত্বক
" অী ভো-বাইশাশৰ্মা ব্যবহাৰকাৰী
" অী বাপুতোবাশৰ্মা হিদ্দ
" অী কাহাইশৰ্মা গোবিন্দাধিকাৰী
" অী মধুসূদনশৰ্মা বিভাভূষণ
" অী লালশৰ্মা তৰ্কবাগীশ
" অী গোকুলচাঁদশৰ্মা বিভাভূষণ
" অী নবদ্বীপশৰ্মা বিভাভূষণ
" অী চন্দ্ৰশেখৰশৰ্মা তৰ্কনিধি
" অী গোকুলানন্দশৰ্মা বিভাভূষণ
" অী লালকাহাইশৰ্মা ভাৰতবাস

Issued by Secy. Home Dept.

Excise Notice No. 3 of 1948-49.

Is hereby given that the control and checking of the amusement taxation will be taken over charge by the Excise Department with effect from 1st July '49. So the Proprietors of all recognised Cinemas and Theatres of Manipur State should get tickets (purchase stamp) from Excise Office and affix the same as per the Assam Amusement Act.

Home Minister, I/C Excise Dept.

HOME DEPARTMENT NOTIFICATION NO. H 5/49/ Imphal the 25th June 49.

In accordance with Council Resolution No. 1 of 15-6-49, Home Department Notification No. HS 61/47/8/2355-9 GB Imphal the 6th November 1947 is re-issued with some modifications as follows.

1. The public are hereby informed that all unlicensed fire arms and ammunitions and grenades should be surrendered voluntarily to the Superintendent of Police within the period from the publication of this notice upto the end of December 1949. For doing so rewards will be given.

2. After the expiry of the above mentioned period a thorough search will be made in the premises and areas suspected in the State.

3. Any body giving true information leading to the confiscation or capture of any fire arm and ammunition and grenades will be awarded upto Rs. 200/-.

4. In the event of discovery of any unlicensed fire arms or ammunitions or grenades the possessors thereof shall be

punished in accordance with the Indian Arms Act. 1878.

P. B. Singh, Home Minister, Manipur State. **SOLDIERS', SAILORS', & AIRMEN'S, BOARD, IMPHAL, MANIPUR STATE.**

A Soldiers', Sailors', & Airmen's Board consisting of the following members has recently been established and is located in the Office of the Minister-in-charge Hill Administration at present.

The main object of the Board is to look after the Welfare of all Serving and Ex-service Personnel (and their dependants) of the State.

Any Serving and Ex service Personnel or anybody concerned can contact the Board in matters of interest.

1. Major R. Khathing, President.
2. Lieut. R. K. Madhurjajit Singh, Vice-President.
3. Mr. K. Kamini Singh, Secretary.
4. " Mohd. Abdul Manaf, Member.
5. " Ibomcha Singh, " "
6. " John Vanlalphuta " "

R. Khathing,
Minister i/c Hill Administration
President, S. S. A. B. Imphal.

PART IV. EMERGENCY MEETING.

Proceedings of the 24th sitting of the First Session of the First Manipur State Legislative Assembly assembled under the provisions of the Manipur State Constitution Act, 1947.

The Assembly met in the Assembly Chamber in the Residency Building, Imphal at 11 A.M. on Saturday the 12th March 1949. PRESENT:— The Hon'ble Mr. T. C. TIANKHAM, the SPEAKER, in the Chair, the Hon'ble 7 Ministers and hon. 36 Members.

The Hon'ble the SPEAKER:— The other day I explained to the House the prevailing practice in the Assam Legislative Assembly in regard to adjournment motions and insisted on the handing over of notice of adjournment motions to the Secretary a reasonable time before the commencement of a sitting of the Assembly as otherwise it would spring upon the office an item of work of urgent nature to be done with unusual speed and in as short a time as possible.

For this reason I requested the hon. members to submit their adjournment motions one day earlier. Yesterday I complied with the request of the Hon'ble Chief Minister for notice of the adjournment motion and have given him a copy of the present adjournment motion allowing him several hours for preparation. Our Business Rules however do not provide for one day's notice but simply provides that before the commencement of the sitting of the day members shall leave with the Secretary a written statement of the matter proposed to be discussed.

Now I am not ashamed to announce to the House that I have been very lenient towards the Government because as a Speaker it is my primary lookout to protect the interest of the Government in particular. But it appears that my leniency has not been appreciated by the Government. A point of order has been raised by some members to follow our Business Rules. Now, therefore, hon. members, I have decided to follow our Business Rules as strictly as possible. I shall be thankful to any hon. member if he points out any mistake that I might have made in the discharge of my duties particularly because I am a man new to this office of responsibility. In fact to err is human.

ADJOURNMENT MOTION

The Hon'ble the SPEAKER :- Here is an adjournment motion tabled by Mr. Damjakhai and supported by 4 hon. members. It runs -----

" Mr. Speaker, Sir, I beg to move the following adjournment motion requesting that it be taken up at once.

That the new town at New Churachandpur is being established by order of Hill Minister i/c Hill Administration. But the Public who live near the new town are vehemently complaining against the establishment of the town, pleading that, as a result of the town's establishment many acres of ploughing fields on which the villagers depend, for their livelihood must be ruined.

I therefore beg to move that the House may send at least 3 commissioners in connection with the case as soon as possible to know the truth and that the making of town be discontinued until the report of the commission is received and considered by the House."

Now we shall hear from the hon. mover.

Mr. DAMJAKHAI :- Mr. Speaker, Sir, under the orders of the Hon'ble Minister in charge of Hill Administration, a township under the name of New Churachandpur town has been constructed recently. This is indeed a very good undertaking. But the villagers who live in near the new town strongly complain that many paddy fields and grazing fields have been affected in the process. So there have occurred disturbances in the new established town. I therefore move that three commissioners be sent by the House to investigate the matter on the spot. They will report to the House.

The Hon'ble the SPEAKER :- We shall hear from the Hon'ble Minister in charge.

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, according to the rules only one adjournment motion should be taken up.

The Hon'ble the SPEAKER :- According to the rules two or more adjournment motions can be left with the Secretary before the sitting of the day commences. But such motions will be taken up according to priority. Regarding the present motion we are simply hearing the subject matter. It will not be taken up now.

Sjt. SOMDRENDRA :- Can this motion be taken up on a later date, Sir?

The Hon'ble the SPEAKER :- This has been said out. I will decide presently when to take it up.

The Hon'ble Sjt. IBOTOMCHA SINGH :- Can adjournment motion be admitted every day? We learn that there are some particular days only on which adjournment motions may be admitted.

The Hon'ble the SPEAKER :- So far as I know there is no such rule. I shall be glad if such rule is pointed out to me.

Sjt. IBTOMBI SINGH :- Sir, there is no provision in the rules against admitting this adjournment motion. It should be taken up.

The Hon'ble the SPEAKER :- The Hon'ble Minister in charge is now come. I am reading this adjournment motion again. (reads) Now we shall hear from the Hon'ble Minister in charge.

Sjt. GOORACHAND SINGH :- One point of order, Sir.

The Hon'ble the SPEAKER :- No, please take your seat. As the Hon'ble Minister in charge has no objection this adjournment motion has been admitted.

The Hon'ble Major KHATHING :- In my opinion it required no discussion at all if it is to be referred to a commission.

The Hon'ble the SPEAKER :- Yes, this will be disposed of at 3 P.M.

ADJOURNMENT MOTION ON ELECTION TRIBUNAL.
(Contd)

The Hon'ble the SPEAKER :- Sjt. Pisak Singh will please move his adjournment motion.

Sjt. PISAK SINGH :- Yesterday I have spoken already to my motion. Shall I speak again?

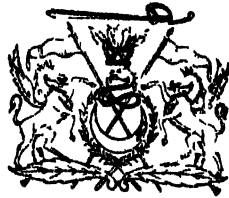
The Hon'ble the SPEAKER :- If you are satisfied the Hon'ble Minister in charge may speak now.

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, I oppose this motion. In opposing this motion, I should like to say that Sjt. D.M. Sarma applied to the Council requesting that his election case VS Sjt. Pisak Singh be tried by another tribunal as he (Mr. D.M. Sarma) had no confidence in the previous tribunal. This happened during the time of the Interim Council. The Interim Council considered Sjt. D.M. Sarma's request and after consulting the law carefully found it reasonable. The Council had the authority to transfer the case. I have nothing to say against the definition of a Tribunal given by the Hon. mover. But by practice and by convention cases have often been transferred to another tribunal when the plaintiffs request such transfer. Generally a judge whose bonafides are doubted by the plaintiff does not attend the trial of the plaintiff if requested not to attend. Sometime ago a commission called the Hunter's Commission was sent to India to try some leaders who had agitated against the British Government for achieving the Independence of India. In this case Mahatma Gandhi appeared as witness. The Hunter's Commission could not try the case as the Congress leaders had written to the proper authority expressing their lack of confidence in the Commission. The Executive has the right to appoint the Election Tribunal according to the Constitution Act, 1947. If a member of the tribunal does not enjoy the confidence of the Council the latter has the right to remove him from the tribunal. Mr. HOMFUNG (spelling not known exactly), a justice of the Patna High Court, left the court when he found that his bonafides had been doubted. Sir Asutosh, Chief Justice of the Calcutta High Court, left the court when he found that one of the parties had no faith in him. If any Justice's bonafides are questioned he is supposed to leave the court. If he does not leave he may be asked to leave. The Interim Council is by no means wrong in transferring the election case of Sjt. D.M. Sarma and Sjt. Pisak Singh to another tribunal. Supposing that the Chief Judge of the Chief Court whom we have appointed takes bribes and indulges in corrupt practices shall we keep looking on simply because he has been appointed once? If he does not enjoy public confidence it is quite natural that he should be asked to resign. Sjt. D.M. Sarma had no confidence in the previous Election Tribunal and requested the Council to transfer his case. So the Council is not wrong in having complied with his request which was reasonable.

Secondly, the hon. mover has said much about the inherent power of the Council. Since the Interim Council had the power of establishing the Election Tribunal, they had the right to abolish it too. The present Council also have the same powers. To establish or abolish such a tribunal and to transfer a case from one tribunal to another is their duty. Section 24 of the Civil Procedure Code has authorised the Council to do all these things. So the Council is not wrong.

(to be continued)

Thirupur



PUBLISHED BY ORDER OF H. H. THE MAHARAJAH

No. 106

Imphal, Wednesday, June 29, 1949.

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II.

Council Resolution No. 15 of 15-6-49.

To consider Home M's Memo. No. 2781—GA/Orgl. dt. 7-6-49, forwarding report of Excise Inspector about issue of new license for Sekmai liquor for 1949-50 under C.R.No. 17 of 19-1-49.

Whereas the Council (empowered to function as provincial Govt.) has been authorised under Sec. 36 sub-clause (J) and sub-clause (L)/III of the Assam Excise Manual (already adopted in Manipur) to prescribe the scale of fees or the manner of fixing the fees payable in respect of any privilege, license, permit or pass and to prescribe the fixing of the strength, price or quality, it is hereby resolved that in supersession of previous resolution that the State will realise annas eight per quart bottle, instead of annas ten per quart bottle. As for the shares of profit of the retail venders and sub-venders may be fixed at annas three per quart bottle and the annual security deposit of Rs. 15,000/- be reduced to Rs. 7,000/- only.

By order of H.H. in Council.

H.B. Singh,
Chief Secretary.

PART III.

নোটিশ নং ৩৭

অসিনা মরম ওইহুনা মনিপুর ষ্টেট প্রজা পুন্নমক্তাং থংহনজরি। মরমদি :— ষ্টেট কোরেটে রিজার্ভতা অমদি রিজার্ভকী উ চারা থাৰা এরিয়া মল্লংনা (plantation area) শল থাকিনবা অমসুং চংবা যাদে ; শল লোইবৌরিবা প্রজাৰা মাছ ভৌদনবা হোংনবিগদবনি। করিগুবা শল রিজার্ভতা অমদি রিজার্ভকী উ চারা থাৰা মকমলা কংলবদি মাছ ফারগা থানাদা পীথোককনি অমসুং কেটল ট্রেণ পাশ এষ্টকী আইন মতুং ইরা শল মপুদা মতিক চাৰা দণ্ডি ভৌগনি অমসুং ক্ষতিপূরণনচিংবা তানবা যাই।

শ্রীবিজয় চন্দ্রসিংহ, রাজকুমার,
ষ্টেট কোরেটে অফিসার মনিপুর।

প্রেস নোট।

বন্দা নোট কায়বগী মরমদা কোটিমা ট্রেজরিদগী ডিক মিনিকোরদা টেলিগ্রামনা মখাগী অসুয়া থংহনকই—

ট্রেজরি বেলেজ (Treasury balance) ভগী করেলি চেটে (Currency chest) তা বন্দা নোট ট্রান্সফার ভৌবগীদমক্তা কলিকতা করেলিদগী এপ্রভেল (approval) কল্লিবকাওবা বন্দা নোট কায়বনবগীদমক লোৰা ওমদে।

Sanahal Singh,
Publicity Officer.

HOME DEPARTMENT NOTIFICATION NO. 4/49 / dated 19.6.49.

The public are hereby informed that very severe action will be taken against persons cutting or possessing telegraph or telephone wires.

Two month's time beginning from the date of publication of this notification in the State Gazette, is however given to them to surrender those wires possessed by them without any authority. There will be no prosecution during this period.

The public are bound to assist and inform, the Police with regard to damage or loss of such wires and thus the whole village will be held responsible and punished for such losses in or near their villages,

The Village Chowkidar should see that there may not be any loss of such wires within his jurisdiction. If any loss of such wires happens in his jurisdiction in future he will be severely dealt with.

The Officer in charge of the Thana concerned will also be responsible for this. While making house searches in future he should endeavour to trace such wires.

Any one of the Public giving clues leading to detection or recovery of wires will be granted a certificate or a money reward by the Home Minister at his discretion.

All State officials should try to collect information about possession of such wires. A special note about his good work will be made in his service Book if any superior State servant give valuable information leading to discovery. In cases meritorious State servants money rewards will be granted.

P.B. Singh
HOME MINISTER, MANIPUR STATE.

HOME DEPARTMENT

Notice No.5/E/49 dated 24.6.49.

is hereby given that Examination for entry into the Inter Services and Military wings of the Armed Forces Academy (January 1950 course) and the Initial Training wing of the Royal Indian Air Force will be held in June, 1949. Particular may be had from the Home Department, Imphal.

P.B. Singh
HOME MINISTER, MANIPUR STATE.

P R E S S N O T E .

The following Extract from the Treasury Officer, Kohima's Memo No.A/11/1/518-T dated Kohima, the 16th June, 1949 to the General Manager, Manipur State Bank Ltd., is being reproduced here for general information :-

" With reference to your telegram dated the 15th June, 1949, I beg to inform you that no more remittance by coins can be accepted until the R.B.I. sanctions the remittance of our already accumulated stock of coins. The Strong-Room of the Treasury is already packed with Stocks of rupee-coins and small coins, and the R.B.I. have been asked to take necessary action for this early. "

Issued by
R.K. Sanahal Singh,
PUBLICITY OFFICER, MANIPUR STATE.

PART IV

PROCEEDINGS OF THE 23RD SITTING OF THE FIRST SESSION OF THE FIRST MANIPUR STATE LEGISLATIVE ASSEMBLY UNDER THE PROVISIONS OF THE MANIPUR STATE CONSTITUTION ACT, 1947.

The Assembly met in the Assembly Chamber in the Residency Building, Imphal at 1 P.M. on Friday the 11th March, 1949.

PRESENT:

The Hon'ble Mr. T.C. TIANKHAM, the SPEAKER, in the Chair, the Hon'ble 6 Ministers and Hon. 34 Members.

The Hon'ble the SPEAKER :- Here is an application from the Hon'ble Commerce Minister requesting leave of absence from to-day's sitting. I declare this granted.

Here is a copy of an application regarding Kabolai from Sjt. Ngangbam Bokul Singh and 7 other gentlemen for the consideration of the Assembly. It is actually addressed to the Council. Such matters from the public should not come direct to the Assembly. They should come to the Assembly through an M.L.A. or M.L.A.'s. Hon. members are also requested to inform people of their respective constituencies of this procedure.

ADJOURNMENT MOTION.

The Hon'ble the SPEAKER :- Yesterday I asked the hon. members to submit adjournment motions, if any, with reasonable margin of time. Just now an adjournment motion has been delivered to me by the Secretary, who received this at 10.30 A.M. to-day. Now we shall hear hon. mover's explanation. The Hon'ble Minister concerned may then speak.

Sjt. PISAK SINGH :- Mr. Speaker, Sir, my adjournment motion is --- "The Council has recently dissolved the Election Tribunal that + or up election cases quite abruptly in contravention of the section 41 (a) Manipur Stat. Constitution Act, 1947 and the Manipur State Election Rules No. 55/6 (a) and (b), so the Council Resolutions Nos. 38 of 17-11-48, 21 of 18-12-48 and 20 of 19-1-49 passed in connection with the dissolution of the said Election Tribunal and setting up of another Tribunal are all ultra-vires and therefore null and void."

Sir, in moving this adjournment motion I should like to say that in considering an application filed by Sjt. D.M. Sarma C.R. No 38 of 17.11.48 says that the Chairman, Election Tribunal should + + + C + + + I Singh may not join in the trial of the case of Sjt. + + + C + + + k Singh. Section 55 (6) (a) of the Election Rules says "The Commissioner shall hear appeals against the order of Returning Officer. The Commissioner will sit as Tribunal to hear election petition etc." So this C.R. is in contravention of the above quoted section. In considering an application filed by Sjt. D.M. Sarma, asking for favour of taking necessary action against Election Tribunal for disobedience of C.R. No. 38 of 17.11.48, C.R. No. 21 of 18.12.48 says -- "..... The Council is surprised to find the attitude of the Election Tribunal which is a Quasi Judicial body appointed by the Council itself and of which two Commissioners including Sjt. O. Thambal are the nominees of the Council. The Civil Procedure is to be followed as matter of procedure as far as the conduct of hearing and decision is concerned. Tribunal is not the same as a trying judge of a High Court. The power of transfer is not also exercised under the Code of Civil Procedure but under the inherent power of the Council which created the Tribunal.

The Council which now orders that the Case of Sjt. D.M. Sarma and Sjt. Ch. Pisak be transferred from a Tribunal consisting of Sjt. R.K. Bhaskar Singh, Sjt. O. Thambal Singh and Mr. O. Kathipri to that of another consisting of Sjt. R.K. Bhaskar Singh, Mr. O. Kathipri and Sjt. H. Iboyaima Singh.

By order of H.H. in Council."

ADJOURNMENT MOTION
ELECTION TRIBUNAL.

Now what is Tribunal? Council says it is a quasi judicial body. What is inherent power of the Council? What is a tribunal? A tribunal means a Roman Magistrate. Is Election Tribunal a court of justice? Is the transfer of the case from one tribunal to another should not be done. Section 46 of the Election Rules says --- "Any aggrieved person may file an election petition to the Election Tribunal claiming the relief or reliefs as follows :-

(1) The Election of the + + + + + declared void due to the Commission

of an election offence, or corrupt practice or breach of rule or law materially affecting the result of the election.

(II) The votes should be counted again and in doing so the votes which were accepted wrongly should be excluded.

(III) If the petitioner be an unsuccessful candidate the respondent shall be entitled to claim a relief by way of recrimination that had the petitioner been elected his election would have been void for various corrupt practices."

So the transfer is illegal. They are not authorised to dissolve the first and establish a 2nd tribunal. In section 41 (a) of the Act it is mentioned that there shall be a complete separation of the judiciary from the Executive. So the dissolution of the first tribunal is illegal. Inherent power of the Council means the power which is vested in the Council to keep their dignity. Election Tribunal is not controlled by the Council. No question of inherent power of the Council arises here. So C.R. No. 21 of 18.12.48 is unconstitutional.

Again, regarding the transfer I beg to say that in section 52 of the Election Rules it is provided that the election commissioners shall ordinarily follow the procedure prescribed by the Civil Procedure Code but in recording the evidence of a witness only the memorandum of his evidence may be sufficient. This transfer means that the Civil Procedure Code has not been followed. This transfer amounts to an undue interference by Executive with the functions of the Judiciary. The Council have transferred this case from one tribunal to another. This presupposes the existence of two Election Tribunals in Manipur which is not the case.

C.R. No. 21 of 16.2.49 says --- "To consider C.R. No. 20 of 19.1.49, regarding election case of Sjt. D.M. Sarma.

Election Chairman's letter No. 272/E.T. dated 6.1.49 is regarded as a resignation letter. The resignation be accepted with great regret w.e.f. 18.2.49. Chief Court be requested to nominate one from among the judges of the Chief Court to serve on a new Election Tribunal. The Council nominates Mr. Shangyang, C.O. of Sagar and Sjt. Koireng Singh, member of Cheirap Court, for the new tribunal." Under section 55(6) (a) it is mentioned that the Commissioners shall hear election petition etc. So C.R. No. 21 of 16.2.49 is in contravention of section 55(6) (a) and as such it is illegal. So the C.R. Nos. 38 of 17.11.48, 21 of 18.12.48 and 20 of 19.1.49 passed in connection with the dissolution of the said Election Tribunal and setting up of another tribunal are all ultra-vires and therefore null and void.

The Hon'ble the SPEAKER :- The Hon'ble Minister in charge may now speak.

The Hon'ble Capt. P.B. SINGH :- Mr. Speaker, Sir, yesterday you spoke of forwarding copies of the adjournment motions to the Council. Am I wrong? We are ready to follow your ruling.

The Hon'ble the SPEAKER :- This motion was received this morning only. So we could not furnish copies. We have got no type-writer for our office. The meeting will be adjourned now. We will furnish a copy to the Council. The debate will take place to-morrow, Saturday, though this day is normally a holiday for the Assembly.

ADJOURNMENT :

The Assembly then adjourned till Saturday the 12th March, 1949 at 11 A.M.

L. TH. SINGH.
SECRETARY,
LEGISLATIVE ASSEMBLY, MANIPUR STATE.

W. 18/E S-5
2-7-49.

The Manipur



State Gazette

C. O. No. 1-4747

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GOVERNMENT OF MANIPUR

ORDERS BY HIS HIGHNESS

PART II.

PART III

COUNCIL RESOLUTION No. 4 of S-6-49.

NOTIFICATION No. 1 P. of 1949.

4. To consider Bank Manager Ref. No. P. SY/838/49 dt. 28-5-49, asking for sanction of the following items:—

(a) Grant of Rs. 200/-p. m. (Rs. 50/-per trip) to the Bank being journey expense or changing State's money to Kohima treasury.

(b) Bank may be allowed to use upto Rs. 50,000/-out of the State treasury funds, temporarily for 3 days each time for going to Kohima treasury and back.

Salaries for State employees and State P. W. D. bills be paid in silver coins for sometime with immediate effect.

By order of H. H. in Council

H. B. S.
Chief Secretary.

Whereas a vacancy has occurred in the Utlow Constituency of the Manipur State Assembly by reason of Sri Hijam Irabot Singh's long-overdue absence from the Manipur State Assembly as envisaged in the proceedings of the 19th Sitting of the 1st Session of the Manipur State Assembly Dated the 4th March, '49 I, in pursuance of Sub-Rule (5) of Rule 91 of Manipur State Assembly Rules and according to C. R. No. 34 of 4-5-49 in so far as it relates to Utlow Constituency, hereby call upon the said Constituency of Utlow to elect as early as possible a person in place of Sri Irabot Singh for the purpose of filling up the vacancy so caused.

Palace Imphal, Sd/Bodh Chandra Singh,
Maharaja of Manipur.

TENDER NOTICE.

Scaled tenders are invited for the following Road maintenance works & they will be received by the P. W. D. M. on 1st July 49 at 11 A. M. Each tender should accompany an earnest money of Rs.500/-. Detail information can be had from the State P. W. D. during office hours. Maintenance works of the the following roads will commence from July 19 to December /49 in such a way as to keep no holes, cavities & ruts. The contractors are to collect shingles and do the above works with his men at his cost & risk and will get payments monthly. If his work be not satisfactory i.e. if any mile of the road be found, at any time, in bad order, he will not get payment for a month and contract also may be cancelled with the forfeit of the deposited money.

Rates should be written both in figures and words. Any cancellation should bear the dated initial of the tenderer. Rates should only be quoted as per Notice strictly.

(1)	Tiddim Road	mile	$\frac{1}{2}$... 5 mile	.....@Rs.	Per mile per month
	do	do	5...10 do	..... @Rs.	" " "
	do	do	10...16 do	..... @Rs.	" " "
	do	do	16...22 do	..... @Rs.	" " "
	do	do	22...27 do	..... @Rs.	" " "
	do	do	27...33 do	..... @Rs.	" " "
	do	do	33...40 do	..... @Rs.	" " "

- (2) M/Imphal Road (including Langthabal road from Chinga to Heirangkhoithong).

From Keisampat	}	up to 6 mile	.....@Rs.	Per mile per month
" Chinga				
"		mile 6...10 mile	...@Rs.	" " "
"		" 10...15	..... @Rs.	" " "
"		" 15...23	" ... @Rs.	" " "
"		" 23...30	" ... @Rs.	" " "
"		" 30...35	" ... @Rs.	" " "
"		" 35...40	" ... @Rs.	" " "

(Sugnoo Kakching Rd. from Pallel turning to Sugnoo turning) =
5 miles @Rs. per mile per month.

- (3) Ukhrul Road (including Telepati Rd.) From Minoothong and Yairipok road.

Turning to	5th mile	..... @Rs.	Per mile per month
From	5...10 ... mile	..... @Rs.	" " "
"	10...16 ... "	..... @Rs.	" " "
"	16...23 $\frac{1}{2}$ ... "	..... @Rs.	" " "

- (4) Kangochup (Water work) Road from Maharani bridge to 5th mile
@Rs. Per mile per month.
5...10 @Rs. " " "

- (5) Yairipok Road $\frac{3}{4}$ mile3 mile.....@Rs. " " "

- (6) Pukhao Road 2 $\frac{1}{4}$ -5 ,, 2 $\frac{3}{4}$,,@Rs. " " "

N. B. Nothing will be supplied departmentally.

Dr. L. Singh,
P. W. D. Minister.

CORRECTION

Insert " Council Order No. 39 of 1948-49. Under Council Resolution No. 1 of 2-3-49 and Palace Office Memo No. 2349-P. I-I dated 16-5-49, His Highness the Maharaja of Manipur State has been pleased to give his consent to the following Acts into the State.

(1) The Manipur State Legislative Assembly Members' Emoluments Act, 1, 1948.

(2) The Manipur State Ministers' Emoluments Act II, 1948.

(3) The Manipur State Legislative Assembly Speaker and Deputy Speaker's Emoluments Act III of 1948.

Imphal,
the 21st May, 1949.

Sd/P. B. Singh,
Chief Minister."

as the headings on page 2 of Manipur State Gazette No. 102 of 1st June '49.

Supdt., State Press.

PART IV.

(Continued from page No. 8 of M. S. Gazette No. 103 of 8th June 49.)

QUESTIONS AND ANSWERS.

The Hon'ble Dr. Leiren Singh :—

41. P. W. D. will take up the work if it thinks it necessary to repair it urgently.

Sjt. Gourkishore :—

42. Houjik eepan thada Fougakehao bastida thinglama kailuna mugei asonda leiba prajagi awaba fangliba asi koknanaba thingel asi thonbiraroidra amasung thonbidriba karigino ?

The Hon'ble Dr. Leiren Singh :—

42. Such damage occurred in many places due to the abnormal rainfall of the last year. It will be repaired gradually according to the nature and place of damage.

Sjt. Gourkishore :—

43. Houjik State-ki L. P. School ama Kumbida leiriba adu tampham chandaduna private oina hougatchaba girl L. P. school-da hongdaktuna class II-gi satra makhei tamlakliba matam chahi anrom farakle. School-gi Head Pandit-nasu report toukhre hainasu tajare, school-gi S. I. nasu school inspection lakpadasu school-gi fivam adusu ubikhre haina tajare. Adubu houjik faoba channadriba angangsin-gi school sung ama tapthokpidaba kari maramgino ?

The Hon'ble Dr. Leiren Singh :—

43. It is exceptional for that particular L. P. school. As Education is given freely in the primary section, the number of students (both girls and boys) is increasing abnormally. It is happening in almost all schools of the State. The Education Department will solve the problem by giving accommodation gradually.

Sjt. Gourkishore :—

44. Ithai, Sagang, (Nongmaikhong arong punna) amasung Ithing khulsing asi prajana lairaba ngakta oibana private L. P. school amatta thamba ngamde aduga school thambada matik charaba khul ngaktani adubu State-na school amatta thambidaba karigino ? Khulsing asi school amatta thambiroidra ?

The Hon'ble Dr. Leiren Singh :—

44. The public of these particular villages may try to start a private school to prove that there is demand for a school. If the demand is real the State will give a grant. After two or three years if the school stands the Education Department will try to take it over as State school. It is the general procedure for starting a State school now. State cannot start a school without seeing the actual demand. It is for the public to prove their demand.

ADJOURNMENT MOTION.

Sjt. Somorendra Singh :— Mr. Speaker, Sir, I have the honour to give notice of a motion for an adjournment of the business of the Assembly for the purpose of discussing the legality and validity of C. R. No. 17 of 19-1-49 which seeks to tax country liquor (kalo) which is a matter of urgent public importance.

The Hon'ble the Speaker :— Here is an adjournment motion from Sjt. Somorendra Singh. It runs thus -

" That the Manipur State Council passed a legislation in C. R. No. 17 of 19-1-49 that ' No person can distil liquor (kalei) in both hill and valley unless they have paid Rs. 50/- per " leirang " per year and obtained a licence for distilling from the State Excise Department. For the present there will be two Retail Vendors one at Sekmai and one at Imphal town. Sekmai Vendor will collect all that is distilled in Sekmai and Khurkhul.

The Imphal vendor will collect from 5 miles areas, Phayeng, Leimaram and Koutruk. In case of shortage this Imphal vendor may obtain his supply from retail vendor of Sekmai at prices fixed by the Excise Department.

The Excise Department will appoint sub vendors on obtaining annual licence fee in consultation with the Tahsildars and Circle officers. The annual licence fee of Rs. 100/- will be charged for each sub vendor. They will be supplied by either of the two vendors.

The amount of profit they are to receive will be fixed by the Excise Department.

The annual licence fee for the wholesale and retail vendor will be Rs. 4,200/- per year. They will further provide security deposit of Rs. 15,000/- per year.

The price of country liquor is fixed for the present at the rate of Rs. 1/2/- per quart bottle for the retail vendor. The price to be sold to the consumer will be Rs. 2/- per quart bottle.

The State will realise at the rate of as -/10/- (annas ten) per quart bottle. As for the shares of the profit of the retail vendor and sub vendor the Excise Department will fix from time to time.

The scheme will be introduced w. e. f. 1-3-49. The Excise Department will make necessary arrangement to effect them. The right of retail vendorship from 1-3-49 to 30-6-49 will be disposed of by auction.

The strength of the Manipur liquor should be 30 O. U. P. for human consumption.

By order of H. H. in Council.'

The above legislation passed by the State Council is in contravention of the provisions of Sections 26 and 36 of the Manipur State Constitution Act, 1947, as it has not been placed before the Assembly. So C. R. No. 17 of 19-1-49 is unconstitutional and as such it is null and void."

The Hon'ble the Speaker :— What does the Hon'ble Minister in charge want to say ?

The Hon'ble Capt. P. B. Singh :— Mr. Speaker, Sir, we have sent some personnel of the Excise Department in this connection. We shall consult them when they come back. So the adjournment motion may be taken up on Friday.

The Hon'ble the Speaker :— As suggested by the Hon'ble Chief Minister it will be taken up on Friday at 2 P. M.

Sjt. Somorendra Singh :— One point of order, Sir. We are quite prepared to obey your ruling. But according to the Rules of Business an adjournment motion cannot be postponed till tomorrow.

The Hon'ble the Speaker .— Sorry, I may please be excused. I withdraw my ruling. The debate will start at 3 P. M. today.

**AFTER RECESS.
DEBATE ON ADJOURNMENT MOTION
3 P. M.**

The Hon'ble the SPEAKER :—Sjt. Somorendra will move his adjournment motion.

Sjt. SOMORENDRA SINGH :— Mr. Speaker, Sir, in moving this adjournment motion I should like to say that under C. R. No. 17 of 19-1-49 the Council has passed an order for levying taxes on liquor without placing the matter before the Assembly. If it were passed by the old Darbar or the Interim Council which had both executive and legislative powers it might have been in order. But the present Council which has got no legislative powers has made this legislation by encroaching on the legislative powers of the Assembly. Taxation affects the pocket of the public. So the Assembly which represents the public, must have been consulted in making this legislation. "No taxation without representation." Most of us have heard this phrase. The occasion of the phrase was this. When the British Parliament levied a tax upon the American Colonies without the consent of the colonies, the latter revolted and declared war which is known as the American War of Independence. The Americans were successful. The Council has similarly imposed this tax without popular consent. Section 26 of the Manipur State Constitution Act, 1947 says—"The law making Authority in the State shall consist of the Maharajah in Council in collaboration with the State Assembly acting under section 18 above." Section 18 says—"The State Assembly may debate all matters concerning the Government and well being of the State which, in the opinion of five Members of the Assembly, it is in the public interest to debate. The Assembly shall tender such advice to the Council of Ministers in any matter in which a majority of the Members present, are agreed on the advice which shall be tendered provided that no matter touching the Maharaja's Prerogative shall be debated and provided that the Maharaja may on the advice of the Council, veto debate on any matter where such course shall in the public interest be necessary." Section 36 says—"No tax whatsoever shall be shown in the budget and no tax shall be collected by any officer of the State or by any person unless such taxation has been imposed by due process of Law." So this legislation of the Council made under C. R. No. 17 of 19-1-49 is in contravention of the provisions of sections 18, 26 and 38 of the Manipur State Constitution Act, 1947, as it has not been placed before the Assembly. So this C. R. is unconstitutional and as such it is null and void.

The Hon'ble the Speaker :—The Hon'ble Chief Minister may speak now.

The Hon'ble Capt. P. B. Singh :—Mr. Speaker, Sir, in opposing this motion I beg to say that the Council is not wrong in passing this resolution No. 17 of 19-1-49. The council is not imposing any tax upon the public. It is simply levying a duty. The hon. mover most probably does not know the difference between duty and tax. He might have mistaken duty for tax. In dictionary both these terms might mean the same thing. But in the Government of India Act, 1935, both these terms are well defined and carry different meanings. Everybody knows the phrase—"No taxation without representation". This is quite right. But the Council is not imposing any tax upon the public. To impose duty is within the

competence of the Council. C. R. No. 23 of 25-8-48 was passed by the Interim Council which had both executive and legislative powers. In passing C. R. No. 17 of 19-1-49 we are merely implementing the Interim Council's policy. Under this C. R. all the powers and duties assigned to the Superintendent of Excise as laid down in the Assam Excise Manual Vol. 1 adopted in the State under C. R. No. 23 of 25-8-48 shall be exercised and performed by the Inspector, Excise, Manipur State. Under sections 21 and 80 of the Assam Excise Manual and section 17 of I. P. C. the provincial Government is empowered to take such measures in respect of all excisable goods and enforce such duties as it thinks fit. Everybody will not use wine like salt. So all excisable goods have got to be restricted. The provincial Government is empowered to fix the rates of all excisable goods and the right of retail vendership can be put to auction. As such the Council is empowered to fix the rates of all excisable goods. The right of retail vendership will be for three months only. This matter, again, originated with the Interim Council. The Council has adopted this measure in the lawful discharge of their duties, and has not therefore encroached on the legislative powers of the Assembly.

The Hon'ble the Speaker :—Any more hon. members to speak?

The Hon'ble Dr. Leiran Singh :—Mr. Speaker, Sir, the Council is not wrong in taking this measure. The Hon'ble Chief Minister has produced all the relative sections of the Excise Manual. Now the opposition's contention is that this legislation has been made without consulting the Assembly and no tax can be imposed without representation. Before 29-11-48 there was the Interim Council. It had passed a resolution regarding this Excise Scheme. The Assam Excise Manual also has been introduced by the Interim Council. The initiative has been taken by the Interim Council. The Interim Council has made this legislation and we are simply executing it. It is our duty to execute it. No tax has been imposed by the Council. It has only levied a duty and not tax. The Council is executing its duty and it has not encroached on the powers of the Assembly.

Sjt. Tompok Singh :—Mr. Speaker, Sir, it may be a tax or a duty. But a law has been passed by the Council. Law making power vests in the Assembly and not in the Council. As the Council is not the law making authority it is wrong in having done so. It is unconstitutional.

The Hon'ble Major Khathing :—Mr. Speaker, Sir, some body has said that the Council has usurped the legislative powers of the Assembly. The Hon'ble Chief Minister also has said that it has not usurped Assembly's powers. Actually it was done by the Interim Council under its Resolution No. 23 of 25-8-48. It had legislative powers. The Assam Excise Manual also has been introduced by that Council. This is not a new law. In Chapter 5 of the Manual it is clearly mentioned that the provincial Government is empowered to fix the rate of all excisable goods. Section 22 of the Manual deals with the method of levying duties. Section 40 of the Government of India Act, 1935 too makes mention of it. We have done this according to the Assam Excise Manual. If it were amended we might have been wrong. As it is not amended we are not in the wrong.

Mr. GOURACHAND :- Mr. Speaker, Sir, Assembly is the law making authority in the state. Law is to be made democratically. It is the Government of the people. There will be democracy only if we strictly follow the Constitution Act, 1947. Under this Act Legislative, Executive and Judiciary have been separated from each other. The Executive will do executive functions only, while the Assembly will do only legislative functions. Everything should be done according to the Constitution Act. Under this Act Assembly is the only authority to legislate. This legislation of the Council may or may not be good for the public. But the Council is not the authority to legislate. A machine without an engine is of no use. As such an Assembly without the legislative power is useless. First there must be laws. These laws will distribute duties to these three organs. So we must first decide the laws.

Mr. SUIA :- Mr. Speaker, Sir, the argument of the opposition is that though this excise legislation was made by the Interim Council it would have effect only during the Interim period. Now that period is over. So it should not be a law now. Their next argument is that if it is to be enforced as a law the number of vendors should be decided by the Assembly. The opposition says that it is a tax while the Government says it is a duty and not tax. The Government has however done this according to the provisions of law. If this action of the Government is not desirable the law giving them power to do so may be modified. If it is not modified the Government is not wrong in doing so. Duty is the money paid to the Government for the use of some particular things and intoxicating drugs and smokes. Tax is the money paid to the Government for land, houses and other properties. So what the Government is imposing is a duty not tax.

Mr. LUNNEH :- Mr. Speaker, Sir, in carrying out this excise policy which originated with the Interim Council, the present Council within their rights. The opposition says that the Council, in carrying out this excise policy has interfered with the legislative powers of the Assembly. This is not the case. The Council has acted in accordance with the Assam Excise Manual which it has to follow. If the excise system were abolished at all, then perhaps the Council might be in the wrong.

The Hon'ble Mr. THBA KILONG :- Mr. Speaker, Sir, this Residency Building was constructed for dwelling purposes. If we find it unsuitable for habitation now then it may be either structurally altered or destroyed. Similarly, this excise policy has been initiated by the Interim Council which had legislative and executive powers. The present Council is executing that policy. If that policy is found to be undesirable we may either do away with it or amend the law under which the policy has been adopted. So the Council is not wrong unless the law under which it is executing the policy is amended.

The Hon'ble the SPEAKER :- If there no more hon members to speak we may hear the concluding speech of the hon. mover.

Sgt. SOMORENDRA :- Mr. Speaker, Sir, many hon. members have said much. Now we entirely agree that this legislation harks back to the time of the Interim Council when there was no Assembly. The Hon'ble Chief Minister has said that there is a distinction between the two terms, duty and tax. In the United States of America there is no such distinction. Duty and tax are the same. Duty or tax is the money collected from the public. Under the Assam Excise Manual the Council has given some powers to the Excise Inspector. Some portions of this Manual will militate against some portions of the Constitution Act, 1947. So if this Manual is to be followed some portions are to be amended so that there might be no conflict between the Act and the Manual. All the hon. members are new. We have no legal expert here. Such legal decision should not be made by votes. I request that under section 57 of the Act, the matter be referred to H.E. the Governor General. The decision if this authority should be binding.

The Hon'ble the SPEAKER :- Now we shall hear from the Hon'ble Chief Minister.

The Hon'ble Capt. P.B. SINHA :- Mr. Speaker, Sir, this was done by the Interim Council. In dictionary both tax and duty might mean the same thing. In the Government of India Act, 1935 however these two terms are well defined and they carry different meanings. The Assam Excise Manual has been introduced in Manipur. The hon. mover agrees with this. We are executing this excise policy in pursuance of this Manual. So we are not wrong at all. I beg to draw the attention of the hon. members to this fact. There is no need of referring this to higher authority. It may be decided by the House.

The Hon'ble the SPEAKER :- Now the debate closes. Then the adjournment motion of the House. As this motion is agreed to by 13 against 27 the motion falls through.

Regarding adjournment motions I should like to say that if such motions are submitted all at once, some difficulties will arise. So they should be submitted at least one day before the sitting of the Assembly. In Assam also they are submitted like this.

Sjt. SOMORENDRA SINGH :- Sir, according to rules they should be submitted at once and the discussion should take place on the same day.

The Hon'ble the SPEAKER :- Sometimes there is a difference between theory and practice. I am saying so in order to avoid practical difficulties. A copy of the adjournment motion will be sent to His Highness the Maharajah in Council.

ADJOURNMENT :

The Assembly then adjourned till Friday the 11th March, 1949 at 2 P.M.

L. TH. SINGH,
Secretary,
Legislative Assembly,
Manipur State.

